PROCEEDINGS

OF THE

TRAVANCORE

SRI MULAM ASSEMBLY

Vol. II.

DATA ENTERED

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TABLE OF CONTENTS.

Vol II.—Nos. 1 to 12.

Date.	*Contents*	*Pages.*
15th Nov: 1933.		
	New members ...	1
	Questions and Answers ...	1 to 20
	Statement laid on the table ...	20 to 22
	Demands for Supplementary Grants—Education ...	22 to 71
	Appendix—Proceedings of the meeting of the Standing Finance Committee held on the 8th November 1933 ...	i to iv
16th Nov: 1933.		
	Questions and Answers ...	73 to 91
	Demands for Supplementary Grants—Education (continued) ...	91 to 157
18th Nov: 1933.		
	Questions and Answers ...	159 to 179
	Panel of Chairman ...	179
	Demands for Supplementary Grants—Education (continued) ...	179 to 191
	,, Land Revenue ...	192 to 204
	,, Public Health ...	205 to 208
	,, Police ...	209 to 210
	,, Public Works ...	210 to 234
	,, Administration of Justice ...	234 to 242
	,, Co-operative Department ...	242
	,, Scientific and Miscellaneous Departments other than the Co-operative Department ...	243
20th Nov: 1933.		
	New members ...	243
	Questions and Answers ...	243 to 265
	Adjournment Motion ...	265 to 266
	Insurance Companies Bill ...	266 to 267
	Edavagai Bill ...	268 to 318
	Court of Wards Bill ...	318
	Live Stock Bill ...	319

Date.	Contents.	Pages.
	Lunacy Bill ...	319 to 320
	Companies Regulation Amendment Bill ...	320 to 321
	Markets Regulation Amendment Bill ...	321
	Appendix I—Insurance Companies Bill ...	i to xxxi
	,, II—Edavagai Bill ...	xxxii to xxxvi
	,, III—Court of Wards Bill ...	xxxvii to lvii
	,, IV Live Stock Bill ...	lviii to lix
	,, V—Lunacy Bill ...	lx to lxxxvii
	,, VI—Companies Regulation Amendment Bill ...	lxxxviii to lxxxix
	,, VII—Markets Regulation Amendment Bill ...	xc
21st Nov. 1933.		
	Questions and Answers ...	323 to 347
	Civil Courts' Powers Amendment Bill ...	347 to 378
	Demands for Supplementary Grants—Education (*continued*) ...	378 to 421
	Appendix—Civil Courts' Powers Amendment Bill ...	i to iii
22nd Nov. 1930.		
	New members ..	423
	Questions and Answers ...	423 to 445
	President Mr. Austin—Reference to leaving Travancore ...	445
	Hindu Inheritance Law Amendment Bill ...	445 to 446
	Criminal Procedure Code Amendment Bill ..	446
	Improvement Valuation Bill ...	446
	Amendment of Standing Orders ...	447 to 450
	Resolutions—Shipping facilities for cocoanut products ...	450 to 464
	,, Acting Vernacular School teachers ...	464 to 471
	,, Moratorium for Agricultural, Industrial and Land Mortgage Bank loans ...	471 to 503
	,, President Mr. Austin—Farewell to— ...	503 to 505
21st May 1934		
	New members ..	507
	Questions and Answers ...	507 to 528

Date.	Contents	Pages.
	Adjournment Motion ...	528
	President Sir M. Habibullah—Welcome to— ...	528 to 533
	Statement laid on the table ...	533 to 538
	Matches Excise Duty Bill ...	539 to 576
	Edavagai Bill ...	576 to 585
	Annexure I—Matches Excise Duty Bill (*as introduced*) ...	i to vii
	,, II—Do. (*as passed by the Assembly*) ...	viii to xiii
	,, III—Edavagai Bill—Select Committee Report on...	xiv to xxv
	,, IV—Do. (*as revised by the Select committee*) ...	xxvi to xxxii
22nd May 1934.		
	Questions and Answers ...	587 to 610
	Edavagai Bill (*continued*) ...	610 to 666
23rd May 1934.		
	Questions and Answers ...	667 to 704
	Live Stock Bill ...	705
	Markets Regulation Amendment Bill ...	705 to 707
	Edavagai Bill (*continued*)— ...	707 to 771
	Annexure I—Live Stock Bill—Select Committee Report on ...	i
	,, II—Do. (*As revised by the Select Committee*) ...	ii to iii
	,, III—Do. (*As passed by the Assembly*) ...	iv to v
	,, IV—Market Regulation Amendment Bill—Select Committee Report on ...	vi
	,, V—Market Regulation Amendment Bill—(*As revisd by the Select Committee*) ...	vii
	,, VI—Do. (*As passed by the Assembly*) ...	viii
	,, VII—Edavagai Bill—(*As passed by the Assembly*) ...	ix to xv

Date.	*Contents.*	*Pages.*
25th May 1934.		
	Questions and Answers ...	773 to 803
	Adjournment Motion—Leave for ...	803 to 804
	Demands for Supplementary Grants—	
	Medical Department ...	804 to 813
	,, Administration of Justice ..	814 to 817
	,, General Administration ...	8.7 to 845
	Adjournment Motion—Discussion of ...	845 to 861
	Annexure—Proceedings of the meeting of the Standing Finance Committee held on 17th May 1934 ...	...
26th May 1934.		
	Questions and Answers ...	863 to 921
	Demand for Supplementary Grant - General Administration (*contd.*)	922 to 985
28th May 1934.		
	New member ...	987
	Questions and Answers ...	987 to 1060
	Amendment of Standing Orders ...	1060 to 1094
	Improvement Valuation Bill ...	1094 to 1096
	Vakils' Regulation Amendment Bill ...	1096
	C. P. C. Amendment Bill ...	1096
	Debtors' Protection Bill ...	1096 to 10 9
	Resolutions—Abolition of Export duty.	1100 to 1117
	,, Salaries Expenditure cut ...	1117 to 1119
	Annexure I—Amendment to Standing Orders (*As proposed by Mr. As n*) ...	i
	,, II—Do. Select Committee Report on ...	ii to iv
	,, III—Do.—(*As revised by the Select Committee*)...	v
	,, IV—Improvement Valuation Bill—As introduced by Mr. R. Raman Pillai ...	vi to x

INDEX

TO THE

TRAVANCORE

SRI MULAM ASSEMBLY PROCEEDINGS

Vol. II.

A

	Pages.
Abdur Rahiman Sahib, Mr. N.	
Bills—Civil Courts' Powers Amendment Bill Introduction of ...	349
Education Committee Report—Debate on ...	401-402
Public Service Recruitment Committee Report ...	979
Questions—	
Arabic teaching ...	522
Engineering College Selection of Muslims for ...	1011
" Selection for ...	1039
Forest Department Muslims in the ...	1038
Forestry training ...	1038
Muslims in the Education Department ...	161
Muslim girls' schools ...	1037
Muslims in the Jenmikaram Office ...	90
Muslims in the Revenue Department ...	1034
Muslim Vernacular Primary Girls' School at Perumathurai ...	1037
Perumathurai—Muslim girls' school at ...	871
Police Inspectors Recruitment of ...	601
Putherikandam ...	1011
Registration Department—Muslims in the ...	1037
Road from Beemapalli to Sri Mulam Lock ...	1039
Standardisation of forms ...	262
Sub-Registrars' posts—Qualifications for ...	602, 1037
Text Book Committee ...	1010
Vaccination class ...	439
Vaccination class Admission of Muslims to the ...	160
Resolution-Moratorium ...	478

Abdur Rahiman Sahib, Mr. N. (*contd.*)

	Pages
Supplementary Demand—	
Lodging a lowance for Mr. A. S. Aiyar ...	181, 182
Plague prevention ...	208
Supplementary Questions—	
Game Warden ...	324
Ezhava Munsiffs ...	513
Muslims' turn for appointment in the Judiciary .	433
Pallivasal Hydro-Electric Scheme ..	329
Railway Station at Venkulam ...	338
Text Book Committee—nominations to the ...	692
Trivandrum Courts—Building for ...	9[illegible]3

Abraham Mr. K. C.

Bill—	
Civil Courts' Powers Amendment Bill—Introduction of ...	358, 372-374
Edavagai Bill—Introduction of ...	279
,, Second reading of ...	649
Education Committee Report—Debate on ...	55-60, 68, 106, 108, 142, 144, 146
Public Service Recruitment Committee Report ..	825, 955, 956-959
Resolution Moratorium ...	481, 482
Supplementary Question—	
Vernacular Schools-Recognised but not aided ...	330

Adjournment Motions—

Colachel Leper Asylum incident ...	265
Dewan's statement at Munnar ...	528
Rubber quota ...	803, 845-861

Agricultural School Students—

Concessions to-Question *re* ...	3

Alleppey Pier—

Expenditure--Statement *re* ...	538
Question *re* ...	429, 524

Alleppey Port—Expenditure Statement *re* ...	22

Alexander, Mr T. K.

Bills-Edavagai Bill—introduction of ...	278
,, Matches Bill-Introduction and passing of ...	542
Questions— ...	
Agricultural loans in Parur and Kunnatnad ...	897
Bridge over Alleppey-Shertallai Canal ...	897

	Pages.
Alexander Mr. T. K.—(*contd.*)	
Questions (*contd.*)	
Edapalli-Eviction of encroachments in ...	527
Edapalli market ...	896
Edapalli-Village Panchayat Court at ...	601
Edapalli pakuthi staff ...	891
Edapalli-Poramboke survey at ..	527
Excise policy ...	609
K. D H. P. lands ...	4-3
Kunnatnad taluk—Revenue recovery in the ...	1034
Neriamangalam Bridge ...	602
Perumbavooor and Parur Courts—Cases in the	897
Teachers (*acting*) ...	675
Teachers (*acting Vernacular*) ..	887
Resolution-Moratorium ...	490
Supplementary Questions—	
Christian clerks in the Secretariat ...	265
Director of Public Instruction ..	247
Answers—Whether given on behalf of Government or on behalf of the Department represented by the official member answering-Discussion *re* ...	79-81
Austin, Mr T., Dewan President—	
Enquiry about retirement of ...	445
Farewell reference to ...	503-505
Ayurveda-question *re* ...	441
B	
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	347-3"8
Civil Procedure Code Amendment Bill ...	1096
Companies Regulation Amendment Bill—Introduction of ..	320
Companies Regulation Amendment Bill—Select Committee for ...	321
Criminal Procedure Code Amendment Bill..	446
Court of Wards Bill—Introduction of ...	318
,, Select Committee for ...	318
Debtors' Protection Bill—Leave for introduction of ...	1096-1099
Edavagai Bill—Introduction of ...	268- 18
,, Introduction of Closure Motion *re* ...	299
,, Select Committee for ..	312-313
,, Second reading of ...	707-771
Hindu Inheritance Law Amendment Bill	445

	Pages
Bills—(*contd.*)	
Improvement Valuation Bill—Introduction of ..	446,1094-1096
Insurance Bill—Select Committee for ...	266,267
Live Stock Bill—Introduction of ..	319
,, Select Committee for ..	319
,, Second reading of ...	7 5
Lunacy Bill—Introduction of ...	319
,, Select Committee for ...	320
Markets Regulation Amendment Bill—Introduction of ...	321
,, Select Committee for ...	321
,, Second reading of ...	705-707
Matches Duty Bill—Introduction and passing of ...	539-576
Vakils Regulation Amendment Bill—Introduction of ...	1036
C	
Chacko, Mr. V. T.	
Education Committee Report—Debate on ...	398-399
Chandrasekharan, Mr. C. V.	
Education Committee Report - Debate on ...	37,38,104,118, 143 144,146, 155,407-410
Supplementary Demand for lodging allowance for Mr A S. Aiyar ...	182,185-188
Chattanatha Karayalar, Mr. S.	
Bills—	
Debtors' Protection Bill - Leave for introduction of ..	1099
Matches Bill—Introduction and passing of ...	573,574
Point of Order Questions should merely ask for information and not give any suggestion ...	793
Public Service Recruitment Committee Report...	966
Questions—	
Alleppey Pier ..	524
Aryankavu Customs House ..	886
Madras Vehicles Act ...	431
Statham Committee recommendations ...	177
Resolution—Moratorium ...	484-485
Supplementary Demands—	
Administration of Justice ...	239
General Hospital—Gas for ...	813
Land Revenue Manual revision, and special staff for the Kottayam Division Cutcherry...	193

	Pages.
Chattanatha Karayalar, Mr. S.—(*contd.*)	
Supplementary Demands—(*contd.*)	
Minor Irrigation ...	213
Supplementary Question—Game Warden ...	324
Standing Order No. 5—Amendment of ...	1076,1077,1078
,, No. 12—Amendment of ...	1092
Chidambaram Pillai, Mr. P.	
Bills—	
Debtors' Protection Bill ...	1099
Edavagai Bill—Introduction of ...	305,306,307,308
Hindu Inheritance Law Amendment Bill ...	445,446
Public Service Recruitment Committee Report...	841-844,922-926 935
Resolutions –	
Cocoanut products—Export facilities for ...	457
Moratorium ...	478, 484, 485, 486, 491, 502
Cocoanut—	
Market price and tariff value of—Question *re* ...	590
Cocoanut products	
Export duty on—Question *re* ...	600,601
Communal Classification for Government appointments ...	423
Communal Representation—	
Supplementary Question *re* ...	85
Co-operative Committee—	
Supplementary Grant for ...	242
Co-operative Societies and Officers—Questions *re* ...	332
D	
Damodaran Asan Mr. A. S.	
Adjournment Motion—Rubber quota ...	849,854
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	350,353,368 370, 374
Edavagai Bill—Introduction of ...	287,288,295,303, 307, 317, 318
,, Second reading of ...	612,613,618,620, 624-627,637,646, 660
Matches Bill—Introduction and passing of ...	540,543,554,557, 558,562,566,569,
Education Committee Report—Debate on ...	116,129,134,153, 155,156,383,384, 409,410,415,416, 417

	Pages.
Damodaran Asan Mr. A. S. (*contd*).—	
Public Service Recruitment Committee Report ...	817,825,937,960 961,964
Questions —	
Agricultural school students ...	3
Agricultural school students—Concessions to ...	1031
Anchal Masters—Seniority of ...	797
Anchal Peons (*Acting*) ...	1029
Anchal Superintendent's Office—Staff in the ...	1007
Anjilipra Primary School ...	261
Arattukadavu bund ...	1008
Chadayamangalam and Nooranad Sub—Registry Offices ...	159
Chennan C. Kunjuraman—Appointment of in the Agricultural Department ...	8
Chennuthila Pakuthi—Flood damages in the ...	507
Cocoanut—Tariff value and market value of ...	590
Confirmation Rules ...	77
Co-operative Societies and Officers ...	332
Director of Public Instruction's Office—Acting clerks in the ...	521
Drawing Mistress ...	667
Export duty on cocoanut products ...	878
Export duty on cocoanut products—Abolition of ...	872
Games fees ...	1033
Girls' schools teachers (Ag.) ...	510
Kanjirapalli English School—Land for ...	331
Legislative Library ...	6
Leper Asylum ...	4
Mavelikara chiras—Repair of ...	993
Mavelikara—District Court at ...	258,1031
Mavelikara Girls' School ...	1
Mavelikara Taluk—Damage to paddy crop in the ...	160
Nooranad Sub—Registrar's clerks ...	587
Paraya women teachers ...	331
Police Head Constables ...	882
Ryots road from Mavelikara—Pantalam road to Cherukunnam road ...	1031
Sub-Registry Offices—1st grade clerks in ...	508
Tax remission ...	510
Teachers—Age-bar for ...	1007

	Page.
Damodaran Asan, Mr. A. S.—(*contd.*)—	
Questions—(*contd.*)—	
Teachers (Departmental)—Casual leave to ...	1022
Thonnallur—Chira in ...	877
Vaccination class ...	81
Valiakarirupuzha—Mannar road ...	1023
Vernacular schools—Recognised but not aided ..	329
Women and Children's Hospital .	794,796
Resolutions—	
Cocoanut products— Export facilities for ..	459
Export duty on copra—Abolition of ...	1109,1114,1115, 1117
Moratorium ...	474,475,476,477' 478,482,483,487, 489,491,492,493-495,499,500,501
Vernacular teachers ...	465,466
Standing Orders—Amendment of ...	447,448,449,450
Standing Order No. 5—Amendment of ...	1060-1061,1063, 1065,1069,1070, 1076-1081,1084
Standnig Order No. 6—Amendment of ...	1086-1087
Standing No. 12—Amendment of ...	1091,1093
Supplementary Demands—	
Administration of Justice ...	236
General Hospital—Gas for ...	809
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry...	193,200,202
Lodging allowance for Mr A. S. Aiyar ...	181,184,187
Minor Irrigation ..	230,231,232,234
Supplementary Questions—	
Changanacherry—Alleppey Canal ...	176
Courts—Personal appearance in ...	669
Forest Economic Survey ..	589
Game Warden ...	327
Jenmikaram Settlement Office ...	89
L. M. Vernacular Schools—Grant-in-aid to ...	890
Midwife Anna Mathew ...	787
Muslims as Sub-Registrars ...	75
Political pensions ..	516
Statham Committee Report ...	244
Temple Entry Committee ...	774
Women and Children's Hospital—Complaints against ...	789

	Pages.
Deputy President	
Bills—	
Debtors' Protection Bill—Leave for introduction of ...	1096,1098
Edavagai Bill—Second reading of ...	612,613,614,615, 616,620,621,622, 623,624,625,626, 627,628,629,630, 631,632,633,634, 635,636,637,638, 641,642,644,645, 647,648,649,650, 651,652,653,654, 655,656,657,658, 661,662,663,664, 665,666
Improvements Valuation Bill—Introduction of ...	1094,1095,1096
Observation—re members suggesting to the Chair to rule out what they consider irrelevant and out of order ...	383
Public Service Recruitment Committee Report ...	819,820,821,822, 823,824,825,826, 827,829,830,831, 832,839,840,841, 842,843,844,929, 930,931,932,934, 935,936,937,938, 939,941,942,944, 945,947,951,952, 957,959,960,961, 962,963,969,971, 972,973,976,978, 980,981,983,984, 985
Resolution—Export duty on copra—Abolition of	1116
Right of—to nominate on behalf of Dewan—President ...	267
Standing Order No. 5—Amendment of ...	1074,1078,1079, 1080,1081,1082, 1084
Standing Order No. 6—Amendment of ...	1085,1088
Standing Order No. 12—Amendment of ...	1090,1091,1092, 1093

	Pages.
E	
Easwara Pillai Mr. A.—(*Kalkulam*)	
Education Committee Report—Debate on ...	391
Questions—	
Eraniel Village Panchayat Court ...	608
Krishnanvaga Community ...	257
Padmanabhapuram Additional Munsiff's Court...	608
Supplementary Demand	
Land Revenue Manual revision; and special staff for Kottayam Division Cutcherry ...	204
Easwara Pillai Mr. A. (*Kottarakara*)	
Bills —	
Civil Courts' Powers Amendment Bill Introduction of ...	358, 359, 371
Edavagai Bill-Introduction of ...	282-283
Second reading of ...	635
Education Committee Report—Debate on ...	59, 149, 390-391
Public Service Recruitment Committee Report ...	834-835
Questions—	
Ayoor—Dispensary for ...	442
Geography Text Book ...	594
Hospitals and dispensaries programme for establishment of ...	340
Judge's retirement ...	518
Kottarakara English High School-Playground for ...	442
Krishnanvaga Community and Government service ...	601
Nedumangad Dispensaries ...	256
Training College Lecturers ...	340
Resolutions—	
Cococanut products—Export facilities for ...	456
Moratorium ...	477, 480, 495
Supplementary Question—	
Courts—Personal appearance in ...	669
Edavagai Bill—Introduction of ...	268-318
Education Reforms Committee Report—Debate on ...	22-71, 91-157, 378 421
„ Effect of supplementary grant (under which the Report was discussed) being carried—Ruling *re* ...	421
„ Petition *re* (S. J. Nair) ...	380

Elenkath Mr. K. R	Pages.
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	350
Debtors' Protection Bill—Leave for introduction of ..	1098
Edavagai Bill—Introduction of ...	273, 314
Edavagai Bill—Second reading of ...	613, 635, 647, 656, 659, 663, 665, 666, 717, 723, 739, 743, 745, 749, 755, 757
Improvements Valuation Bill—Introduction of...	1094
Matches Bill—Introduction and passing of ...	543, 546, 551, 552, 554, 557, 564, 566, 570
Education Committee Report—Debate on ...	39, 56, 62, 91, 92, 105, 129, 133, 137, 147, 156, 395-396, 419
Public Service Recruitment Committee Report ...	821, 822, 832-834, 837, 838, 842, 923, 936, 939, 942, 945, 946, 948, 951, 952, 954, 958, 960, 985
Questions—	
Demand notice fees ...	671
Kattathurai Police out-post ...	523
Pallivasal Hydro-Electric Scheme ...	328
Tovala and Agastisvaram Taluks—Revenue and expenditure in ...	250
Urgent Public Works ...	884
Resolutions	
Export duty on copra-Abolition of ...	1111, 1115
Moratorium ...	500
Salaries Expenditure should not exceed 30 per cent of revenue ...	1117-1119
Standing Order No. 5—Amendment of ...	1062, 1068, 1074, 1084
Standing Order No. 12—Amendment of ...	1092, 1093

	Pages.
Elenkath, Mr. K. R.—(*contd.*)	
Supplementary Demands—	
General Hospital—Gas for ...	806, 807, 808
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry ...	195, 201
Lodging allowance for Mr. A. S. Aiyar .	180, 181, 187 190
Minor Irrigation ...	217, 224, 225-226, 231
Plague prevention ...	206
Supplementary Questions—	
Anchal Masters-Seniority of ...	798
Cocoanut products—Tariff value of ...	591
Communal classification for Government appointments ..	424
Confirmation Rules ...	78
Council Chamber ...	1012
Director of Public Instruction's Office—Officers in the ...	1019
Education Advisory Board ...	687
Education Committee proposals ...	606
Electricity—Deaths due to ...	784
Excise C. I. D. Inspectors ...	597
Floods in Neyyattinkara ...	527
K. D. H. P. lands ...	436
Krishnanvaga Community ...	257
Labour strike ...	1003
L. M. Vernacular Schools—grant-in-aid to ...	890
Nedumangad—Flood damages in ...	513
Neyyattinkara Hospital ...	341
Political pensions ...	517
Mr. Ramachandran-Selection of, as Drainage Engineer ...	780
Salt (*Bombay*)- Supply of ...	1002
Standardisation of forms ...	264
Statham Committee Report ...	245
Technical School (Sri Mulam)—Persons trained in the ...	593
Temple Entry Committee ...	774
Text Book Committee ...	178, 998
Text Book Committee-Nominations to the ...	692
Vidura dispensary ...	685

	Pages.
Excise Policy—Question *re* ...	609
F	
Flood Damage in Nedumangad—Question *re* ...	11, 163, 167
Forest area in the State—Question *re* ...	9
Forests Economic Survey—Question *re* ...	588
G	
Game Warden—Question *re* ...	323
George Mr. Antony.	
Bills—Civil Courts' Powers Amendment Bill-Introduction of ...	359-361
Education Committee Report—Debate on ...	131-134
Questions—	
Registration Department Confirmation and promotion in the ...	883
Secretariat—Christian clerks in the ...	264
Teachers (*Higher Grade*) ...	882
George, Mr. K.	
Education Committee Report—Debate on ...	145
Resolutions—	
Moratorium ...	489-493, 494, 495, 496, 499-502
Vernacular teachers ...	466
Supplementary Demand—	
Land Revenue Manual revision and special staff for Kottayam Division Cutcherry ...	192-199, 204,
Gnanasikamony, Miss Hepzibah.	
Education Committee Report—Debate on ...	60-63
Reference to outgoing Dewan-President, Mr. T. Austin ...	505
Govinda Menon, Mr. N.—(*Co-opted*)	
Bills—	
Edavagai Bill—Introduction of ...	309-312
Edavagai Bill—Second reading of ...	709, 744, 748-749, 754

	Pages.
H	
Habibullah, Sir M,	
Welcome to ...	528-532
Welcome speeches—Reply to ...	529-532
Haneef. Mr. Mahomed,	
Education Committee Report—Debate on ...	411
Questions—	
Arabic instruction in Colleges ...	252
* Arasakulam Ela bund—Breach of ...	424
Christians—Sub-divisions of—for Government appointments ...	423
Kuzhitturai Municipality—Muslims in the ...	667
Municipal Councillors—Nomination of ...	172
Munsiffs—Recruitment of ...	513, 514
Muslim Munsiffs ...	513
Muslims as Sub-Registrars ...	74, 75
Muslims in the Education Department ...	173
Oodukoor tenure ...	895
Process Servers and copyists—caste statement of ...	1015
Puthukadai—Kollencode trace ...	895
Reference to outgoing Dewan-President, Mr. T. Austin ...	505
Supplementary Question—Ezhava Munsiffs ...	513
High Court—Stenographers for ...	234-241
Hill Allowances—Questions *re* ...	74
Hospitals and Dispensaries—Programme for establishment of—Question *re* ...	340
I	
Insurance Bill—Select Committee for ...	266, 267
Irrigation Department—Question *re* ...	682
J	
Jacob, Mr. L. H	
Supplementary Demand—Minor irrigation ...	210-215, 229-232, 234
Janardhana Kamath, Mr. M. K.	
Education Committee Report—Debate on ...	405-406
Questions—	
Always ferry— Bridge across the ...	880
Alwaye Hospital ...	881
Buses between Alwaye and Parur ...	248
Electric Current—Price of ...	81
Railway from Kottarakara to Ernakulam ...	19
Supplementary Question—	
Judiciary—Gowda Sarawath members in the ...	431

	Pages.
Jayanthan Nambootiri, Mr. T. S.	
Bills—Edavagai Bill—Introduction of ...	275
Questions—	
Jenmis' dues—Commutation of ...	12
Jenmikaram-Settlement of ...	15
Jenmi and Kudiyan Regulation ...	249
Kottayam Sirkar Vakil's post—Applicants for ...	895
Malayala Brahmins in the Judicial Department ...	593
Sub-Registry Office clerks ...	250
Jenmies and Jenmom Lands —Question *re* ...	336
Jenmi's Dues—Commutation of—Question *re* ...	
Jenmikaram Officers—Question *re* ...	83, 90
Jenmikaram —Settlement of—Question *re*	
Jenmikaram Settlement Office—Question *re* ...	86
Jenmikaram Staff —Expenditure statement *re* ...	20
Jenmi and Kudiyan Regulation—Question *re* ...	249
John Joseph Mr. N.	
Education Committee Report—Debate on ...	149-152
Public Service Recruitment Committee Report ...	839, 840, 928 961-965
Question—	
Anchal Department—Clerk and Peon volunteers in the ...	889
Resolution—	
Vernacular teachers ...	468-470
Supplementary Questions—	
Communal classfication for Government appointments ...	423
Vaccination class ...	440
Joseph Mr. J. M.	
Education Committee Report—Debate on	387-388
Questions—	
L. M. Vernacular Schools - Grant-in-aid to ...	890
S. M. R. V. Institute, Nagercoil ...	892, 893
Technical Institutes	993
Joseph Mr. T. C.	
Public Service Recruitment Committee Report...	959-961

	Pages
K	
Karunakaran Mr. K. C.	
Adjournment Motion—Rubber quota ...	847, 850, 852, 854-856
Bills—Debtors' Protection Bill—Leave for introduction of ...	1098-1099
Education Committee Report—Debate on ...	394-395
Resolutions—	
Cocoanut products—Export facilities for ...	453, 459
Export duty on copra—Abolition of ...	1101, 1104, 1108
Supplementary Questions—	
Alleppey Pier ...	524
Ceylon copra—Import duty on ...	1000
Cocoanut products—Tariff value of ...	592
Kesavan Sastri, Mr. T. T.	
Education Committee Report—Debate on ...	392-394
Public Service Recruitment Committee Report ...	969-970
Questions—	
Anchal Department—Depressed classes in the ...	1036
Depressed classes—Allotment for the Department of the Protector of ...	1036
Depressed classes—Socially and educationally backward classes among the ...	1036
Labour in rubber and tea estates	1036
Land per head ...	896
Reference to outgoing Dewan—President, Mr. T. Austin ...	504
Resolution—Vernacular teachers ...	467, 468
Krishnan Mr. K. M.	
Questions—	
Export duty on cocoanut products ...	1034
Madayanthodu Canal ...	897
Krishna Menon Mr. K. P.	
Bills—	
Edavagai Bill—Introduction of ...	272, 287, 300
,, Second reading of ...	762, 763, 764
Public Service Recruitment Committee Report ...	821

	Pages
Krishna Menon Mr K. P. (*Contd.*)	
Questions—	
Chief Justiceship ...	1014
Teak and Blackwood—Rates for ...	1014
Krishnan Nayar, Sir, M.	
Greetings from ...	22
Krishna Panickar Mr. Pottayil S.	
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	359, 369
Edavagai Bill—Introduction of ...	276, 289, 316
Education Committee Report—Debate on ...	397-398, 413
Public Service Recruitment Committee Report ...	947
Questions—	
Alleppey—Aroor Road ...	881
Oolamparai Hospital—Rice for ...	338
Vayalar East Chiras ...	891
Resolution—	
Moratorium ...	498
Supplementary Questions—	
Alleppey Pier ...	430
Shertallai cremation ground ...	335
Vernacular School—Recagnised but not aided ...	330
Krishna Pillai Mr. E. V.	
Bills—	
Civil Procedure Code Amendment Bill ...	1096
Edavagai Bill—Select Committee for ...	313, 315, 317,
„ Second reading of ...	578, 581, 582, 658, 659, 660, 730, 736, 737, 749, 763, 764, 766, 767, 768,
Matches Bill—Introduction and passing of ...	542, 561, 563, 564, 565, 567, 568, 570, 572, 573, 574
Vakils Regulation Amendment Bill—Introduction of ...	1096

Krishna Pillai, Mr. E. V. (*contd*)	Page.
Education Committee Report—Debate on ...	26, 36, 37, 47, 66, 67, 116-120, 407 410
Point of order *re*—token motions on Supplementary Demands ...	807
Public Service Recruitment Committee Report..	830
Question—Jenmikaram Officers ...	83
Resolutions—Moratorium	471, 472, 473, 474, 475, 477, 478, 482, 487 495, 502,
Vernacular teachers ...	466,467
Standing Order No. 5—Amendment of ...	1069, 1070, 1072, 1073
Supplementary Demands—	
General Hospital—Gas for ...	806, 813
Land Revenue Manual and special staff for the Kottayam Division Cutcherry ...	195
Lodging allowance for Mr. A. S. Aiyar ...	182, 183, 186, 189
Minor Irrigation ...	211
Plague prevention ...	205
Supplementary Questions—	
Alleppey Pier ...	430
Ceylon copra—Import duty on ...	1000
Changanachery T. B. ...	427
Cocoanut products—Export of ...	675
Communal representation in nominating Municipal Councillors ...	173
Drinage Section	779
Excise C. I. D. Inspectors ...	597
Industries Experts ...	1010
Jenmikaram Settlement Office ...	87
Judiciary—Gowdasaraswath members in the...	432
Mavelikara District Court ...	560
Police clerks as Inspectors ...	600
Midwife Anna Mathew ...	786
Mr. Ramachandran—Selection of, as Drainage Engineer ...	781
Tannery ...	425
Text Book Committee ...	247
Text Book Committee—Nominations to the ...	692
Toll—Gates Distance between ...	170
Women and Children's Hospital—Complaints against ...	790, 791, 792

	Pages.
Krishna Pillai, Mr. N. K.	
Bills—	
Edavagai Bill—Select Committee for ...	315
Matches Bill – Introduction and passing of ...	544
Education Committee Report—Debate on ...	407
Questions—	
Floods in Neyyattinkara ...	526
Game Warden ...	323
Irrigation Department ...	682
Minor Irrigation Committee ...	888
Neyyattinkara Hospital ...	341
Standing Order No. 12—Amendment of ...	1090
Supplementary Demand—Minor Irrigation ...	228-229
Supplementary Questions—	
Hindi in Travancore ...	995
Trivandrum Courts—Building for ...	993
Vernacular teachers—Transfer of ...	992
Women and Children's Hospital—Complaints against ...	790
Krishna Pillai, Mr. T.	
Questions—	
Director of Public Instruction—Circular No. VII of 1915, issued by ...	1006
Deputy Darbar Physicians' T. A. ...	1023
Electric street lighting in Trivandrum ...	1006
Neyyattinkara—Flood damage in ...	671, 1006
Tincture Chemist ...	427
Trivandrum Courts—Building for ...	992
Tuberculosis Sanatorium in Travancore ...	1008
Vernacular teachers—Transfer of ...	991
Supplementary Questions—	
Beggars in Trivandrum ...	671
Police Stations—Inspection of ...	867
Krishna Pillai Mr. Puthupalli. S.	
Bills—	
Edavagai Bill—Introduction of ...	286, 291, 296-300, 302, 303, 306, 307, 311, 315
„ Second reading of ...	618, 627-635, 637, 640, 643, 644, 645, 655-656, 743, 746, 748, 749, 750, 753, 761, 763, 765, 771

	Pages
Krishna Pillai, Mr. Puthupalli, S.—(*contd.*)	
Bills (*contd.*)	
Matches Bill—Introduction and passing of ...	563, 569
Education Committee Report—Debate on ...	55, 67, 112, 113, 114,120-126, 143
Questions—	
Director of Public Instruction's Office—Supervision in the ...	678
	606
Education Committee proposals ...	
Supplementary Demands—	240
Administration of Justice ...	809-810
General Hospital—Gas for ...	
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry ...	194, 196-197, 199, 200
	184, 185,186,
Loding allowance for Mr. A. S. Aiyar ...	189, 190
	211
Minor Irrigation ...	
Supplementary Questions—	175
Changanachery-Alleppey Canal ...	679
Municipal cases—Hand-cuffing of accuseds in ...	681
Survey Assistant Superintendent ...	678
Venjaramoodu—Market at ...	
Women and Children's Hospital—Complaints	790, 795
against ...	257
Krishnanvaga Commuuity—Question *re* ...	
Kunjan Pillai, Rao Sahib Dr. N.	857-861
Adjournment Motion—Rubber quota ...	
Bills	556-559
Matches Bill—Introduction and passing of ...	817-819, 984-985
Public Service Recruitment Committee Report...	
Resolution—	1113-1116
Export duty on copra—Abolition of ...	
Supplementary Demands—	804, 812, 813
General Hospital - Gas for ...	205-208
Plague prevention ...	
Kunjukrishna Pillai, Mr, K.	860, 861
Adjournment Motion—Rubber quota ...	
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	348, 354-358, 374

	Pages.
Kunjukrishna Pillai, Mr. K.—(*contd.*)	
Bills (contd.)	
Edavagai Bill—Introduction of ...	274, 275, 282, 285, 289, 312, 316
" Second reading of ...	576-578, 613, 614, 648-652, 653-654, 661, 664, 708, 725, 727, 729, 731, 737, 741, 750, 758, 759, 760, 761, 766, 767, 768, 769, 770
Matches Bill—Introduction and passing of ...	539, 540, 546-549, 553, 554, 557, 560, 569
Education Committee Report —Debate on ...	23, 24, 25, 39, 40, 61, 63-71 92-95, 96,140, 382, 408, 413, 416
Point of order—	
Whether, after a supplementary question has been asked and disposed of, a point of order could be raised on it ...	609
Public Service Recruitment Committee Report ...	823, 926-933, 944, 947, 958, 960
Questions—	
Drainage Engineer ...	779
Drainage Section ...	779
Electricity—Accidents due to ...	777
" Deaths due to ...	777, 782
Factories Inspector ...	1022
Labour strike ...	1003
Midwife Anna Mathew ...	785
Miyanoor School ...	524, 525
Mr. Ramachandran—Selection of as Drainage Engineer ...	780
Resident Medical Officers ...	782
Royal Stables—Electric supply to ...	784
Taikad cremation ground ...	1005
Travancore Athletic Association ...	869
Trivandrum drainage ...	778
Trivandrum Electric Supply ...	776

Kunjukrishna Pillai, Mr. K.—(*contd.*)

	Pages.
Questions—(*contd.*)	
Vempanni Chira ...	1020
Women and Children's Hospital—Complaints against ...	788, 790
Resolutions—	
Cocoanut products—Export facilities for ...	455, 460, 463-464
Export duty on copra—Abolition of ...	1100-1104, 1109, 1112, 1114, 1116, 1117
Moratorium ...	497
Salaries' expenditure should not exceed 30% of revenue ...	1118
Vernacular teachers ...	470
Standing Orders Amendment ...	447, 448, 449, 480
Standing Order No. 5—Amendment of ...	1061, 1063, 1066-1067, 1070, 1074, 1083
Supplementary Demands—	
General Hospital—Gas for ...	811
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry...	200, 201
Minor Irrigation ...	234
Supplementary Questions—	
Alleppey Pier ...	430
Anchal Masters—Seniority of ...	798
Beggars in Trivandrum ...	670
Ceylon copra—Import duty on ...	999
Cocoanut products—Export of ...	675
,, Tariff value of ...	591
Confirmation Rules ...	79
Excise C. I. D. Inspectors ...	597
Game Warden ...	325
Hindi in Travancore ...	995
Import duty on Ceylon copra—Reduction of ...	990
Jenmikaram Officers ...	90
Jenmikaram Settlement Office ...	88
K. D. H. P. lands ...	438
Police Inspectors' appointment—G. O. *re* ...	519
Political pensions ...	517
Salt (*Bombay*)—Supply of ...	1001
Tea seeds -Export of ...	164
Temple Entry Committee ...	773

	Pages.
Kunjuraman Mr. C. V.	
Education Committee Report—Debate on ...	117, 127, 155
Public Service Recruitment Committee Report ...	930, 978
Supplementary Demands—	
Administration of Justice ...	237
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry...	198, 202
Lodging allowance for Mr. A. S. Aiyar ...	188
Minor Irrigation ..	232
Supplementary Question—Vaccination class ...	440
Kunjuraman Mr. E. K.	
Education Committee Report Debate on ...	399-400
Public Service Recruitment Committee Report ...	978, 980
Question—Registration Director s Office—Staff of ...	1014
Supplementary Questions—	
Coir industry ...	1004
Communal representation ...	267
Kuriakose, Mr. M. K.	
Questions—	
Muvattupuzha—Graduates in ...	602
Piravom Conservancy Station at ...	676
Ramangalam Pakuthi Office ...	607
L	
Land Revenue Manual Revision—Supplementary Demand for ...	192-204
Legislative Library—Question *re* ...	6
Leper Asylum—Question *re* ...	4
Literacy in the State—Question *re* ...	344
Laud speakers ...	155
M	
Madhavan Mr. C. O.	
Resolutions—	
Cocoanut products—Export facilities for ...	458, 463
Export duty on copra—Abolition of ...	1101, 1106-1110, 1116-1117
Madhavan, Mr. K.	
Education Committee Report—Debate on ...	396-397
Madhavan Pillai, Mr. M. K.	
Bills—Civil Courts Powers Amendment Bill—Introduction of ...	331
Education Committee Report—Debate on ...	400-401

	Pages.
Madhavan Pillai, Mr. M. K.—(*contd.*)	
Questions—	
Chavara Dispensary ...	339
Drinking water for A'apad ...	440
Karunagapalli—Munsiff's Court at ...	1014
Kayankulam southern market bridge ...	598
Manual training ...	1014
Pattuveli Bridge ...	595
Ponmana Road—Maintenance of ...	595
South Indian Railway ...	599
State Manual ...	599
Thottapally Bridge ...	595
Resolution—Moratorium ...	481
Supplementary Demand—Land Revenue Manual revision and special staff for Kottayam Division Cutcherry ...	202
Supplementary Question—Game Warden ...	327
Mahomed, Mr. K.	
Education Committee Report—Debate on ...	136-138
Public Service Committee Report ...	940-942
Questions—	
Anchal Offices (non-departmental) ...	1032
Arabic ...	1017
Arabic Munshi's Test ...	522
Director of Public Instruction's Clerks—Caste statement of ..	1017
Director of Public Instruction's Office Appointments in the ...	962
Edapalli Boys' V. M. School ...	893
Edapalli Dispensary ...	431
Edapalli Police Inspector ...	1033
Education Officers Casual leave for ...	995
Excise C. I. D. Inspectors ...	596
Forest Department—Muslims in the ...	1015
Koran teachers ...	990, 997
Mahomedan Inspector ...	996
Mahomedan Inspector—Office of ...	996
Mahomedan special schools ...	1016
Muslims in the Judicial Department ...	598
Muslim school Control over ...	1016
Muslim Sub-Registrars ...	1031
Registration Department—non-graduate clerks in the ...	598
Registration Department—Caste statement of Clerks in the ...	673
School at Thrikkakara ...	673

	Pages.
Mahomed, Mr. K.—*(contd.)*	
Questions—*(contd.)*	
Sub-Registrars ...	873
Sub-Registrars' posts—Qualification for ...	873
Text Book Committee ...	997
Text Book Committee—Nomination to the	690
Thrikkakara Village Panchayat Court ...	522
Veliathunad Village Panchayat Court ...	1032
Supplementary Questions -	
Muslim Munsiffs ...	513
Musiims as Sub-Registrars ...	74
Malayalam Typewriting Question *re* ...	336
Minor Irrigation—Supplementary Demand for ...	210-223
Municipal Councillors—Nomination of—Questions *re*...	172
Munsiffs—Recruitment of—Question *re* ...	513, 514
Muslims—	
Admission of to the vaccination class—Question *re* ...	160
As Sub-Registrars—Question *re* ...	74, 75
In the Education Department—Question *re* ..	161, 173
In the Jenmikaram Office—Question *re* ...	90
N	
Nair, Mr. S. J.	
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ..	347, 349, 358-359, 365
Civil Procedure Code Amendment Bill ...	1096
Debtors' Protection Bill—Leave for introduction of ...	1097
Edavagai Bill Second regarding of ...	612-615, 622, 625, 626, 627, 632, 649, 654, 663, 709, 717, 718, 737, 757, 758, 766, 767
Matches Bill—Introduction and passing of ..	541 550-551, 562, 568, 570, 572
Vakils' Regulation Amendment Bill—Introduction of ...	1096
Education Committee Report-Debate on ...	37, 38, 39, 40, 56 94, 101, 106, 113, 120, 131, 134-136, 380-383, 404, 414, 415

Nair, Mr. S. J.—(*contd.*)	Pages.
Public Service Recruitment Committee Report ...	818, 820, 821, 826, 827, 831, 840, 842, 924, 947
Questions—	
Aruvikara—P. W. D. Anchal Office at ...	1005
Assistant Excise Commissioners—Inspection of shops by ...	1024
Ayurveda ...	441
Ceylon copra —Import duty on ...	999
Coercive processes ...	881
Director of Public Instruction—Financial Assistant to ...	1026
Director of Public Instruction's Office—Officers in the ...	1018
Director of Public Instruction's Office staff ...	867
Dogs Killing of ...	514
Education Advisory Board ...	685, 686, 687, 688
Education Department—Appoitments in the ...	1018
Education Reforms Committee Report ...	689
Excise Division ...	1023
Flood damage in Nedumangad ...	163, 167
Hindi in Travancore ...	994
Import duty on Ceylon copra—Reduction of ...	990
Karipoor trace ...	682
Levee Officers ...	998
Libraries—Grants to ...	1033
Married women as teachers ...	1026
Nedumangad—I class Magistrate's Court for ...	690
Nedumangad—Flood damage in ...	11
,, Flood relief in ...	511
Nedumangad lands ...	515
Nedumangad Magistrate's Court ...	333
Nedumangad Minor Irrigation in ...	253, 254
Nedumangad roads ...	683
Nedumangad roads and traces ...	251
Nedumangad taluk—Education in the ...	987
,, Weaving schools in the ...	989
Paddy lands in Vamanapuram reserve ...	988
Police Inspectors Recruitment of ...	515
Police reform ...	1026
Police Stations—Inspection of ...	866
Poovathoor—Ferry in ...	682
P. W. D. Vacancies in the ...	1029

	Pages.
Nair, Mr S. J.—(*contd.*)	
Questions—(*contd.*)	
Revenue Courts Copyists in ...	1027
School at Mithrumalai ...	1019
Stationery and Printing Departments—Amalgamation of ...	1030
Tamil Reporter in the Police Department ...	870
Tea seeds—Export of ...	164
Technical School (Sri Mulam)—Persons trained in the ...	592, 593.
Temple Entry Committee ...	773, 775
Timber contract ...	1013
Toll-Gate on M. C. Road Shifting of ...	168
Trade Agent ...	76
Vamanapuram Dispensary ...	1024, 1025
Vamanapuram Dispensary—Road to ...	994
Venjarumoodu—Market at ...	677
Veterinary Hospitals ...	987
Vidura Dispensary ...	683
Vishavaidyasala .	255
Women and Children's Hospital, Trivandrum ...	791
Resolutions—	
Cocoanut products—Export facilities for ...	455
Export duty on copra—Abolition of ...	1104, 1106, 1116
Moratorium ...	459, 490
Standing Orders Amendment—Select Committee for ...	450
Standing Order No. 5—Amendment of ...	1067, 1068
Supplementary Demands—	
Administration of Justice ...	235, 236, 237
B. L. class—Additional division for ...	816
General Hospital—Gas for ...	806-809
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry ...	199, 200, 201
Lodging allowance for Mr. A. S. Aiyar ...	182, 183, 184
Minor Irrigation ...	214, 215
Plague prevention ...	205, 206
Supplementary Questions—	
Changanacherry—Alleppey Canal ...	174
Chavara Dispensary ...	339
Director of Public Instruction—Circular No. VII of 1915, issued by ...	1006
Confirmation Rules ...	78
Nivarthanam ...	85
Railway Station at Venkulam ...	333
Salt (Bombay) - Supply of ...	1002
Survey Assistant Superintendent ...	681
Text Book Committee—Nominations to the ..	692
Trivandrum Courts—Building for ...	993

Nair, Mr. M. N. Pages.

Education Committee Report—Debate on ... 391-392
Pub ic Service Recruitment Committee Report ... 823, 959
Questions—
Alleppey Pier ... 429
Alleppey Port Boat Basin for ... 884
,, Shipping at ... 884
Cocoanut products—Export of ... 674
,, Export duty on ... 600, 601, 673
,, Tariff value of ... 590
Copra (Ceylon)—Import of ... 674
Police clerks as Inspectors ... 599
Police Inspectors—Appointment of undergraduate cleıks as ... 885
Police Inspectors' appointment—G. O. *re* ... 519
Tax on cocoanut gardens ... 523
Resolutions
Cocoanut products Export facilities for ... 456-457, 458, 459, 460
Export duty on copra—Abolition of ... 1110
Moratorium ... 476, 481-484
Supplementary Demands -
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry ... 194
Minor Irrigation ... 215-216
Supplementary Questions—
Kottayam Munsiff's Court ... 76
Nedumangad taluk—Weaving schools in the .. 989
Temple Entry Committee ... 774

Narayani Amma, Srimathi, T.

Education Committee Report—Debate on ... 95-101
Public Service Recruitment Committee Report ... 949-952
Questions—
Baby Welfare and Health Week celebrations ... 899
Caste statement of medical staff ... 442
Co-operative Societies ... 347
Inspectress and Assistant Inspectress Office staff ... 899
Medical Inspection of school children ... 898
Midwives .. 899
Women's medical aid ... 444
Reference to outgoing Dewan—President, Mr. T. Austin ... 505

	Pages.
Narayanan Battatiripad, Mr. P. C.	
Public Service Recruitment Committee Report...	967-968
Questions	
Jenmies and Jenmom lands ...	336
Jenmikaram Officers ...	90
Jenmikaram Settlement Office ...	86
Malayala Brahmin Sirkar Vakils ...	881
Malayalam typewriting ...	336
Supplementary Question—	
Jenmi and Kudiyan Regulation ...	249
Narayana Pillai, Mr. K. A.	
Adjournment Motion—Rubber quota ...	849
Bill—Civil Courts' Powers Amendment Bill—	
Introduction of ...	349, 365
Education Committee Report—Debate on ...	129
Public Service Recruitment Committee Report ...	844
Resolutions—	
Moratorium ...	483, 500
Vernacular teachers ...	465
Supplementary Questions—	
Buses between Alwaye and Parur ...	248
Neriamangalam Bridge ...	603
Narayana Pillai, Mr. B.	
Supplementary Demand—Police	209
Narayana Pillai, Mr. P. K.	
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	364-368
Edavagai Bill—Introduction of ...	300-309, 313
Matches Bill—Introduction and passing of ...	549-550, 572, 573
Edavagai Bill—Second reading of ...	626, 634-645, 648, 652, 708, 713-718, 728, 729, 731, 741, 759, 763
Improvements Valuation Bill—Introduction of...	1094, 1095
Education Committee Report—Debate on ...	41-55, 58, 119, 128, 130, 134, 402, 403, 417, 419

	Pages.
Narayana Pillai, Mr. P. K.—(*contd.*)	
Public Service Recruitment Committee Report ...	819, 973-978
Questions—	
Ambalapuzha—Munsiff's Court for ...	444
Drinking water in coastal regions ...	875
Karumadi—Takazhi road ...	900
Police Inspectors' appointment—G. O. re ...	518
Police Inspectors—Undergraduate clerks who have acted as ...	885
Road from Podiyadi to Neerattupuram ...	1035
Schools—Abolition of ...	874
Talavady river—Silting up of ...	676
Women and Children's Hospital ...	794
Reference to outgoing Dewan—President, Mr. T. Austin ...	503
Resolutions—	
Export duty on copra—Abolition of ...	1116
Moratorium ...	483, 496-498, 501
Salaries' expenditure should not exceed 30 per cent of revenue ...	1119
Standing Order No. 5—Amendment of ...	1068-1069, 1081, 1082
Standing Order No. 6—Amendment of ...	1087-1088
Standing Order No. 12—Amendment of ...	1091
Supplementary Demands—	
Administration of Justice ...	235, 238, 239, 241
B. L. class—Additional division for ...	815, 816
General Hospital—Gas for ...	813
Land Revenue Manual revision and special staff for the Kottayam Division Cutcherry...	192
Lodging allowance for Mr. A. S. Aiyar ...	180, 185
Supplementary Questions—	
Temple Entry Committee ...	775
V. S. L. C. Examinations—History Examiner for the ...	869
Narayana Pillai, Mr. Pacode A.	
Adjournment Motion—Rubber quota ...	850
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	359, 360, 375-377
Edavagai Bill—Introduction of ...	304, 305, 313
„ Second reading of ...	577, 578, 709

	Pages.
Narayana Pillai, Mr. Pacode A.—(*contd.*)	
Bills—(*contd.*)	
Improvements Valuation Bill—Introduction of ...	1094
Matches Bill—Introduction and passing of ...	541, 544
Education Committee Report—Debate on ...	59, 60, 68, 119, 139, 150
Public Service Recruitment Committee Report ...	824, 825, 981-984
Questions—	
Decrees—Transmission of ...	680
Nagercoil District Court—Waiting sheds in the ...	1035
Reference to outgoing Dewan—President, Mr. T. Austin ...	504
Resolution-Moratorium ...	487, 488, 502
Standing Order No. 5—Amendment of ...	1072-1074
Supplementary Demands—	
General Hospital—Gas for ..	811-812, 813
Lodging allowance for Mr. A. S. Aiyar ...	184
Minor Irrigation ...	213, 214
Plague prevention ...	206, 207
Supplementary Questions—	
Beggars in Trivandrum ...	670
Ceylon copra—Import duty on ...	1000
Chavara Dispensary ...	340
Courts—Personal appearance in ...	669
K. D. H. P. concessions ...	436
Krishnanvaga Community ...	257
Padmanabhapuram Munsiff's Court—Jurisidiction of ...	608
Political pensions ...	517
Neriamangalam Bridge—Question *re* ...	602
Nilakantan, Mr. G.	
Education Committee Report—Debate on ...	890
Public Service Recruitment Committee Report ...	968-969, 978, 982
Questions—	
Arrack manufacturers ...	604
Kammalas in the Police Force ...	605
Municipal cases—Hardcuffing of accuseds in ...	679
Nagercoil Distillery ...	604
Pension allowances ...	323
Vernacular girls' school employees—Caste statement of ..	888
Vernacular school employees—Caste statement of ...	888

	Pages.
Nilakantan, Mr. G.—(*contd.*)	
Supplementary Questions—	
Communal classification for Government appointments ...	424
Tannery ...	425
Tincture Chemist ...	428
Nilakanta Pillai, Mr. R.	
Resolution—	
Salaries' expenditure should not exceed 30 per cent of revenue ...	1117, 1118
Nilakanta Pillai Mr. S.	
Bills—	
Edavagai Bill—Introduction of ...	276-278
,, Second reading of ...	623-624, 656-658, 663, 664, 734, 753
Questions—	
Edacode paddy fields ...	526
Edava—Kappil Road ...	520
Edava Primary School ...	871
Flood damage in Neyyattinkara ...	671
Green manure ...	1030
Koduvazhannoor school building ...	520
Pulimath school ...	520
Railway Station at Venkulam ...	337
Registration jurisdiction in Chirayinkil taluk ...	595
Tank north of Navaikulam Temple ...	1011
Venkulam Railway Station ...	1012
Warkala—Village Panchayat Court at ..	872
Supplementary Question—Sirkar Vakils ...	672
Nivarthanam—Supplementary question re ...	85

P

	Pages.
Padmanabhan, Mr. K.	
Education Committee Report—Debate on ...	126-130, 387
Public Service Recruitment Committee Report ...	819-827, 929
Questions—	
Assistant Surgeons ...	1008
Assistant Vaidyans ...	798
Assistant Vaidyans' posts ...	863
Ayurveda College Principal ...	1009
Ayurveda Pharmacy accounts ...	799
Ayurveda Pharmacy employees ...	863

	Pages.
Padmanabhan Mr. K.—(*contd.*)	
Questions - (*contd.*)	
Drinking water ...	521
Education Department—Muslim and Ezhava graduates in the ...	865
Ladies in the High Court ...	596
Police Inspectors (*Acting*) ...	798
Rabid dogs ...	883
Sirkar Vakils ...	671
Trivandrum Electric Superintendent—appointments by ...	1009
Supplementary Questions—	
Communal representation in nominating Municipal Councillors ...	173
Communal representation in the vaccination class ...	161
Gowdasaraswath Community ...	433
Tincture Chemist ...	428
Vaccination class ...	440
Women and Children's Hospital ...	793, 794, 796
Padmanabha Menon, Mr. Edavanatt S.	
Adjournment Motion—Rubber quota ...	851
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	349, 353-354
Edavagai Bill—Introduction of ...	271, 289
Matches Bill—Introduction and passing of ...	541
Education Committee Report—Debate on ...	398, 402-403
Public Service Recruitment Committee Report ...	824, 827-832, 944, 961
Questions—	
Alleppey-Shertallai Canal ...	880
Council Chamber ...	1012
Judicial Department clerks ...	673
Judicial Department—Clerical promotions in the ...	523
Judicial Establishment—Seniority in ...	598
Shertallai cremation ground ...	335
Thanki Canal Ferry ...	518
Thanki Church Road ...	517
Trade Agent in Bombay ...	1030
Resolutions—	
Cocoanut products—Export facilities for ...	450-456, 459, 461, 464

	Pages.
Padmanabha Menon, Mr. Edavanatt S.—(*contd.*)	
Resolutions—(*contd.*)	
Export duty on copra—Abolition of ...	1104-1105
Moratorium ...	497, 498
Vernacular teachers ...	464-467, 471
Supplementary Demands—	
Land Revenue Manual revision and special staff for the Kottayam Division Cutcheri ...	203
Minor Irrigation ...	231
Supplementary Questions—	
Alleppey Pier ...	430
Beggars in Trivandrum ...	671
Changanachery-Alleppey Canal ...	175
Game Warden ...	326
K. D. H. P. concessions ...	438
Prohibition ...	609
Tea seeds—Export of ...	166
Temple Entry Committee ...	774, 775
Padmanabha Pillai, Mr. Kainikkara M.	
Adjournment Motion—Rubber quota ...	855
Bills—	
Edavagai Bill—Introduction of— ..	290
,, Second reading of ...	614
Matches Bill—Introduction and passing of ...	553
Education Committee Report—Debate on ...	130, 384-387
Public Service Recruitment Committee Report ...	824, 825, 826, 960, 963
Questions—	
Ayurveda Director ...	1020
Changanachery-Alleppey Canal ...	173
Changanachery, Lady doctor for ...	9
Changanachery Magistrate ...	991
Changanachery T. B. ...	426
Changanachery-Wazhur Road ...	511
Coir industry ...	1004
Forest area in the State ...	9
Hill allowances ...	74
Kuttapuzha Canal ...	73
Labour strike at Alleppey ...	1007
Night schools ...	1003

Padmanabha Pillai, Mr. Kainikkara M.—*(contd.)*	Pages.
Questions—*(contd.)*	
Salt (Bombay)—Supply of ...	1000, 1002
Tannery ...	424
Temple Entry Committee—Expenditure on ...	776
Temple Entry Committee Report ...	73
Text Book for Form VI ...	878
Resolution—Moratorium ...	471-472, 474, 498-499
Standing Order No. 12—Amendment of ...	1090, 1092
Supplementary Demands—	
Administration of Justice ...	237
Minor Irrigation ...	230
Supplementary Questions—	
K. D. H. P. lands ...	437
Prohibition ...	610
Pallivasal Hydro-Electric Scheme—Question *re* ...	328
Panjikaran Mr. Joseph.	
Bills - Improvements Valuation Bill—Introduction of ...	1096
Standing Order No. 5—Amendment of ...	1062, 1084
Standing Order No. 6—Amendment of ...	1085
Standing Order No. 12—Amendment of ...	1090
Parameswara Aiyar, Rao Sahib S.	
Adjournment Motion—Rubber quota ...	857
Bills—	
Edavagai Bill—Second reading of ...	577, 619-621, 629, 630, 657
Matches Bill—Introduction and passing of ...	541, 555-556, 563, 568
Public Service Recruitment Committee Report...	946, 960, 964, 965-967, 983
Resolutions—	
Export duty on copra—Abolition of ...	1114
Salaries' expenditure should not exceed 30% of revenue ...	1119
Standing Order No. 5—Amendment of ...	1067, 1075, 1084
Supplementary Demand—	
B. L. class—Additional division for ...	815
Supplementary Questions—	
Education Committee proposals ...	607
Midwife Anna Mathew ...	786
Political pensions ...	517

	Pages.
Parameswaran Pillai, Mr. Changanachery K.	
Adjournment Motion—Rubber quota ...	857, 859, 860
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	362-368
Edavagai Bill—Introduction of ...	271, 302, 314, 315
" Second reading of ...	718-720, 722, 724, 760
Education Committee Report—Debate on ...	101-112, 115
Questions—	
Beggars in Trivandrum ...	670
Courts - Personal appearance in ...	669
Political pensions ...	516
Retrenchment ...	879
Reference to outgoing Dewan-President, Mr. T. Austin ...	504
Supplementary Demand—	
Land Revenue Manual revision and special staff for the Kottayam Division Cutcheri ...	192
Supplementary Questions—	
K. D. H. P. lands ...	434
Vidura dispensary ...	684
Welcome to Sir M. Habibullah ...	528
Paramesvaran Pillai, Mr. Kayalam.	
Bills—	
Civil Courts Powers Amendment Bill—Introduction of ...	347-350, 351, 365, 366, 367, 368, 377-378
Court of Wards Bill—Introduction of ...	318
Edavagai Bill—Introduction of ...	268-272, 278, 312, 313, 314, 316
, Second reading of ...	576, 579, 629-632, 641, 646-648, 652, 654, 659-661, 662, 663-665, 708-709, 720-725, 727-729, 731, 732, 734, 736, 737, 739, 741, 742, 743, 744, 747, 748, 749, 750, 753, 754, 755, 760, 761, 763, 769, 770

	Pages.
Parameswaran Pillai, Mr. Kayalam—(*contd.*)	
Bills—(*contd.*)	
Insurance Bill—Select Committee for ...	266, 267
Matches Bill—Introduction and passing of ...	539-544, 546, 560, 561, 563, 564-566, 568, 569, 570, 571, 572, 573, 574, 575, 576
Education Committee Report—Debate on ...	98, 104, 108, 109, 112, 113, 115
Resolutions—	
Export duty on copra—Abolition of ...	1111-1113
Moratorium ...	485, 486, 487, 495, 496
Standing Orders Amendment ..	447, 449, 450
Standing Order No. 5—Amendment of ...	1062-1065, 1079, 1082, 1084
Standing Order No. 6—Amendment of ...	1085-1086, 1088
Standing Order No. 12—Amendment of ...	1090-1092
Supplementary Demands—	
Administration of Justice ...	234, 235, 240, 241
B. L. class—Additional Division for ...	814, 815, 816
General Hospital Gas for ...	809
Minor Irrigation ...	234
Pension Allowances—Question re ...	**323**
Petitions—Ruling re presentation of before Assembly ...	**136, 380**
Petrol Consumption in the State—Question re ...	**345**
Plague Prevention—Expenditure statement *re* ...	**20**
Plague Prevention—Supplementary Demand for ...	**205-208**
Points of Order—	
Error in answers given ...	894
Insinuations on members should not be tolerated ...	614
It is quite improper for a member to make insinuations on the dignity of the Chair ...	1079
Language of question put to member in possession ...	201
Manual Para 148 (3) ...	454
Questions should not give any suggestion; they should merely ask for information ...	793
Questions must seek information and not give it ...	691

Points of Order—(*contd.*)

	Pages
Presentation of Select Committee Report by member in charge of a Bill …	1061
Statement laid on the table in answer to an interpellation …	668, 882
Supplementary Demands must satisfy two conditions …	196
Supplementary Demands must be fully dealt with in the printed statements (about them) furnished to the members …	210
Token motions on Supplementary Demands …	807
Token Motion *re* Supplementary Grant …	217-224
Two members cannot stand at the same time…	215
Whether a question may be asked about the report made by a subordinate officer …	677
Whether supplementary questions could be asked on a question the answer to which says "The statement required is laid on the table" …	668
Whether a document not placed before the House could be quoted from …	619
Whether after completing one's speech one is obliged to answer all questions put to him…	182
Whether any member may repeat a disallowed question …	135
Whether the main interpellator can ask supplementary questions after other members …	432
Whether each member can have more than one turn in putting questions to the official member in possession …	39
Whether official members can withhold answers alleging that they are confidential …	795
Whether an expression of opinion is allowed in a question …	589
Whether a member can say "The Select Committee was mad enough……… "…	582
Wether official members ought not to come prepared with answers for relevant supplementary questions …	608
Whether the official member answering an interpellation has the power to say that information asked for is confidential, unless the Chair rules it so …	600

	Pages
Points of Order—(*contd.*)	
Whether, after once seconding a motion, a member could speak on it ...	1065
Whether members should be called "Honourable" members ...	532
Whether one member can speak on behalf of another ..	532
Whether one member can put a question to another member with a view to obtain the latter's opinion ...	1091
Whether a non-member, who has got the right to address the House, can put questions ...	1088
Who should nominate members constituting Select Committee for amendment of Standing Orders ...	448, 449
Police Inspectors—Recruitment of—Question re ...	515, 601
Police—Supplementary Demand for ...	209-210
Political Pensions—question re ...	516
President— ...	
Appeal of—to the members to cut short their speeches on Edavagai Bill in order that it may be passed within the days allotted ...	610
Bills—	
Edavagai Bill—Second reading of ...	576, 582, 585, 610, 707, 709, 711, 713, 718, 723, 725, 728, 729, 730, 731, 732, 733, 734, 737, 739, 742, 748, 749, 750, 751, 753 754, 755, 758, 762, 763, 764, 765, 768, 769, 770, 771
Matches Bill—Introduction and passing of ...	564, 573
Question—Midwife Anna Mathew ...	787, 788
Standing Order No. 5—Amendment of ...	1070-1072, 1073
Public Service Confirmation Rules—Question re ...	77
Public Health Department—question re ...	330
Public Sevice Recruitment Committee—Debate on ...	8.7 84?, 922-985
Q	
Questions and Answers—	
Acting teachers ...	675
Acting Vernacular teachers ...	887
Agricultural loans in Parur and Kunnatnad ...	897

Questions and Answers—(*contd.*)	Pages
Agricultural school students—Concession to ...	1031
Agricultural school students—Concession to ...	3
Alleppey pier ...	429
Alleppey ier ...	524
Alleppey Port—Boat Basin for ...	8?4
Alleppey Port Shipping at ...	884
Alleppey-Shertallai Canal ...	880
Alwaye Hospital ...	881
Ambalapuzha-Munsiff's Court for ...	444
Anchal Department— Clerk and Peon volunteers in the ...	889
Anchal Department—Depressed classes in the ...	1036
Anchal Masters--Seniority of ...	797
Anchal Offic. s (non-depaitmental) ...	1032
Anchal Office at Talayolaparambu ...	1013
Anchal Peons (*Acting*) ...	1029
Anchal Superintendent's Office—Staff in the ...	1007
Anjilipra —Primary School for ...	261
Arabic ...	1017
Arabic instruction in colleges ...	252
Arabic Munishies ...	522
Arabic Munishi's Test ...	522
Arabic teaching of ...	522
Arasakulam Ela bund—Breach of ...	424
Arattukadavu bund ...	1008
Arrack manufacturers ...	604
Aruvikara—P. W. D Anchal Office at ...	1005
Aryankavu Customs House ...	886
Assistant Chief Inspectress ...	1033
Assistant Excise Commissioners—Inspection of shops by ...	1024
Assistant Surgeons ...	1008
Assistant Vaidyans ...	798
Assistant Vaidyans' posts ...	863
Athletic Association, Travancore ...	869
Ayoor – Dispensary for ...	442
Ayurveda ...	441
Ayurveda College Principal ...	1009
Ayurveda Director ...	1020
Ayurveda Pharmacy accounts ...	799
Ayurveda Pharmacy employees ...	863
Baby Welfare and Health Week Celebrations ...	899
Beggars in Trivandrum ...	670
Bridges—	
Bridge over Alleppey—Shertallai Canal ...	897
Alwaye Ferry Bridge ...	880
Bridges on the Aycad and Kozhithodu ...	1029

Questions and Answers—(*contd.*)	Pages
Bridges—(*contd.*)	
Kayankulam southern market bridge ...	598
Kollakadavu bridge ...	1028
Manimala River—Bridge on ...	1009
Masupatti Bridge ...	8 7
Neriamangalam Bridge ...	602
Pattuveli Bridge ...	595
Thottapally Bridge ...	595
Buses between Alwaye and Parur ...	248
Canals—	
Changanacherry—Alleppey Canal ...	178
Chengannur—Illimala Canal ...	589
Caste Statement of clerks in the Director of Public Instruction's Office ...	346
Caste statement of Headmasters of English High Schools ...	343
Caste statement of medical staff ...	442
Caste statement of Secretariat Officers ...	342
Caste statement of Sub-Registrars ...	342
Caste statement of Vernacular Assistant Inspectresses ...	18
Caste statement of Vernacular girls' school teachers ...	667
Ceylon Copra—Import duty on ...	999
Changanacherry—Lady doctor for ...	9
Chavara Dispensary ...	339
Chennan C. Kunjuraman—Appointment of in the Agricultural Department ...	8
Chennithila Pakuthi—Flood damages in ...	507
Chief Justiceship ...	1014
Civil List Supply of to members of the Legislature ...	1035
Chadayamangalam and Nooranad Sub-Registry Offices ...	159
Changanacherry Magistrate ...	991
Changanacherry T. B. ...	426
Christians—Sub-divisions of for Government appointments ...	423
Cocoanut products—Export of ...	674
,, Export duty on ...	600, 601, 673
Cocoanut—Tariff value and market price of ...	660
Coercive processes ...	881
Coir industry ...	1004
Confirmation Rules ...	77
Co-operative Societies ...	347
Co-opertive Societies in the State ...	347
Co-operative Societies and Officers ...	332

Questions and Answers—(*contd.*)

	Pages.
Copra (*Ceylon*)—Import of ...	674
Council Chamber ...	1012
Courts—Personal appearance in ...	669
Decrees—Transmission of ...	680
Demand notice fees ...	674
Depressed classes—Allotment for the Department of the Protector of ...	1026
Depressed classes—Socially and educationally backward classes among the ...	1036
Deputy Darbar Physician's T. A. ...	1023
Director of Pubic Instruction—Circular No. VII of 1915, issued by ...	1006
Director of Public Instruction—Financial Assistant to ...	1026
Director of Public Instruction's Clerks—Caste statement of ...	1017
Director of Public Instruction's Office—Ag. clerks in the ...	521
Director of Public Instruction's Office—Appointments in the ...	692
Director of Public Instruction's Office—Files in the ...	877
Director of Public Instruction—Institutions visited by ...	876
Director of Public Instruction's Office—Officers in the ...	876, 1018
Director of Public Instruction's Office staff ...	867
Director of Public Instruction's Office—Supervision in the ...	678
Dogs—killing of ...	514
Drainage Engineer ...	779
Drainage Section ...	779
Drawing Mistresses ...	667
Drinking water ...	521
Drinking water for Alapad ...	440
Drinking water in coastal regions ...	875
Edacode paddy fields—Damages to ...	526
Edalakudy Head Constable ...	891
Edapalli—Eviction of encroachments in ...	527
Edapalli—Poramboke survey in ...	527
Edapalli pakuthi staff ...	891
Edapalli Boys' V M. School ...	893
Edapalli Dispensary ...	481
Edapalli market ...	896
Edapalli Police Inspector ...	1033

Questions and Answers—(*contd*)

	Pages
Edapalli—Village Panchayat Court at ...	601
Edava primary school ...	871
Education Advisory Board ...	685, 686, 687, 688
Education Department—Appointments in the ...	1018
Education Committee proposals ...	606
Education Department—Muslims and Ezhava graduates in the ...	865
Education Officers—Casual leave for ...	995
Educational holidays ...	1013
Education Reforms Committee Report ...	689
Electricity—Accidents due to ...	777, 782
Electric current—Price of ...	81
Electrical Engineer—Personal Assistant to the...	777
Electric street lighting in Trivandrum ...	1006
Engineering College—Selection for ...	1039
Engineering College—Selection of Muslims for— ...	1011
Eraniel Village Panchayat Court ...	608
Examiners' Board for 1109 ...	1020
Excise C. I. D. Inspectors ...	596
Excise Divisions ...	1023
Export duty on cocoanut products ...	878, 1034
Export duty on cocoanut products—Abolition of— ...	872
Ezhava Munsiffs ...	518
Factories Inspector— ...	1022
Fee concessions ...	1021
Flood damages in Chirayinkil ...	671
Flood damage in Nedumangad ...	11, 163, 167
Floods in Neyyattinkara ...	526
Flood damage in Neyyattinkara ...	671
Flood damages in Tovala and Agastisvaram ...	887
Forest area in the State ...	9
Forest Department—Muslims in the— ...	1015, 1038
Forests economic survey ...	588
Forest training ...	1038
Games fees ...	1033
Game Warden ...	323
Gazette ...	865
Geography Text Book ...	594
Girls' schools teachers (*Acting.*) ...	510
Green manure ...	1030
Hill allowances ...	74
Hindi in Travancore ...	994

Questions and Answers (*contd.*)

	Pages
Hospital cooks ...	1021
Hospitals and Dispensaries—Programme for establishment of— ..	340
Hostels in Trivandrum ..	17
Import duty on Ceylon copra—Reduction of...	9 0
Industries Experts ...	1010
Inspectress and Assistant Inspectress office staff— ...	899
Irrigation Department— ...	682
Jenmies dues—commutation of— ...	12
Jenmies and jenmom lands— ..	336
Jenmikaram—Settlement of ...	15
Jenmikaram—Add tional officers for ...	345
Jenmikaram Officers ...	83
Jenmikaram Officers ...	90
Jenmikaram Settlement Office ...	86
Jenmi and Kudiyan Regulation ...	249
Judge's recruitment ..	518
Judicial Department Caste statement of clerks in the ...	879
Judicial Department—Clerical promotions in the ...	523
Judicial Department Clerks ...	673, 678
Judicial Establishment—Seniority in ...	598
Judiciary—Gowda Saraswath members in the ...	431
Kammalas in the Police ...	605
Kanjirapalli English School—Land for ...	331
K. D. H. P. lands ...	433
Karipoor trace ...	682
Kartikapalli Taluk public works—Revenue and expenditure on ...	890
Karunagapalli—Munsiff's Court at ...	1014
Kattathurai Police Out-post ...	523
Koduvazhannoor school building ...	520
Koran teachers ...	990, 997
Kottar Magistrates' Court cases—Transfer of ...	514
Kottarakara English High School—Playground for ...	442
Kottayam Munsiff's Court ...	76
Kottayam Sirkar Vakil's post—Applicants for ...	895
Kozhungalloo chira ...	678
Krishnanvaga Community ...	257
Krishnanvaga Community and Government service ...	601
Kunnanad taluk—Revenue recovery in ..	1034

Questions and Answers—(*contd.*)	Pages
Kuttapuzha Canal ...	73
Kuzhithurai Municipality—Muslims in the ...	667
Labour in rubber and tea estates ...	1036
Labour strike ...	1003
Labour strike at Alleppey ...	1007
Lady doctor in the General Hospital ...	345
Ladies in the High Court ...	596
Land per head ...	896
Legislative Library ...	6
Leper Asylum ...	4
Levee Officers ...	998
Libraries—Grants to ...	1033
Literacy in the State ...	344
L. M. Vernacular Schools—Grant-in-aid to ...	890
Madayantodu Canal ...	897
Madras Vehicles Act ...	451
Mahomedan Inspector ...	996
Mahomedan Inspector—Office of ...	996
Mahomedan Inspector's post ...	344
Mahomedan special schools ...	1016
Malayala Brahmin Sirkar Vakils ...	881
Malayalam Maps ...	605
Malayala Brahmins in the Judicial Department ...	593
Malayalam type-writing ...	336
Mallappally Dispensary ...	866
Manual training ...	1014
Married women as teachers ...	1026
Mavelikara—District Court at ...	1031
Mavelikara chiras—Repair of ...	993
Mavelikara District Court ...	258
Mavelikara Girls' Schools ...	1
Mavelikara Taluk—Damage to paddy crop in the ...	160
Medical inspection of school children ...	898
Medical studies—Stipend for ...	345
Midwife. Anna Mathew ...	735
Midwives ...	899
Minor Irrigation Committee ...	888
Miyanoor School ...	524, 525
Muvattupuzha—Graduates in ...	602
Mundakan cultivation ...	678
Municipal cases—Handcuffing of accuseds in ...	679
Municipal Councillors—Nomination of ...	172
Munsiffs—Recruitment of ...	513, 514

Questions and Answers —*(contd.)*

	Pages.
Muslims—Admission of to the vaccination class ...	160
Muslims in the Education Department ...	161, 173
Muslims and English High Schools Head-masters' posts ...	344
Muslim girls' schools ...	1037
Muslims in the Jenmikaram Office ...	90
Muslims in the Judicial Department ...	598
Muslim Munsiffs ...	513
Muslims in the Revenue Department ...	1034
Muslim schools—Control over ...	1016
Muslim V. P. Girls' School at Perumathurai ...	1037
Muslims as Sub-Registrars ...	74, 75
Muslim Sub-Registrars ...	1031
Nagercoil Distillery ..	604
Nagercoil District Court—Waiting sheds in the ...	1035
Nedumangad Dispensaries ...	256
Nedumangad—1st Class Magistrate's Court for ...	690
Nedumangad—Flood relief in ...	511
Nedumangad lands ...	515
Nedumangad Magistrate's Court ...	533
Nedumandad—Minor Irrigation in ...	253, 254
Nedumangad roads ...	683
Nedumangad roads and traces ...	251
Nedumangad Taluk—Education in ...	987
Nedumangad taluk—Weaving schools in the ...	989
Neyyattinkara—Flood damage in ...	1006
Neyyattinkara Hospital ...	341
Night schools ...	1003
Noble Dr.—Touring work of ...	797
Nooranad Sub-Registrar's clerks ...	587
Oodukoor tenure ...	895
Oolampara Hospital—Rice for ...	338
Paddy lands in Vamanapuram Reserve ...	988
Padmanabhapuram Additional Munsiff's Court ...	608
Pallivasal Hydro-Electric Scheme ...	328
Paraya women teachers ...	331
Partition deeds—Statement of ...	991
Pension allowances ...	323
Perumathura—Muslim girl's school at ...	871
Perumbavoor and Parur Courts—Cases in the ...	897

Questions and Answers—(*contd.*)

	Pages.
Petrol consumption in the State ...	345
Piravom—Conservancy Station at ...	676
Pokkuvaravu cases ...	1005
Police clerks as Inspectors ...	599
Police Head Constables ...	882
Police Inspectors (*Acting*) ...	798
Police Inspectors appointment—G. O. *re* ...	518, 519
Police Inspectors —Appointment of undergraduate clerks as ...	885
Police Inspectors Recruitment of ...	514, 601
Police Inspectors' uniform ...	607
Police reform ...	1026
Police Stations - Inspection of ...	866
Political pensions ...	512
Poovathoor—Ferry in ...	686
Primary education for Mahomedans and Kanees ...	344
Process servers and copyists—Caste statement of ..	1, 015
Public Health Department—Assistant Surgeons in the ...	334
Public Health Department and Ayurveda and Homeopathy ...	1015
Public Library, Trivandrum ...	1025
P. W. D.—Vacancies in the ...	1029
Pulimath school ...	520
Putherikandam ...	1011
Rabid dogs ...	883
Railway from Kottarakara to Ernakulam ...	19
Railway Station at Venkulam ...	337
Mr. Ramachandran—Selection of as Drainage Engineer ...	780
Ramangalam Pakuthi Office ...	607
Registration clerks—Caste statement of +	673
Registration Department—Confirmation and promotion in the ...	883
Registration Department—Muslims in the ...	1037
Registration Director's Office—Staff of ...	1014
Registration jurisdication in Chirayinkil taluk ..	595
Registration non-graduate clerks ...	598
Resident Medical Officers ...	782
Retrenchment ..	879
Revenue Courts - Copyists in ...	1027
Roads—Alleppey—Aroor road ...	881

	Pages.
Questions and Answers—(*contd.*)	
Roads—(*contd.*)	
Azhancholai—Maruthampara Kani Forest Road ...	344
Beemapalli – Sri Mulam Lock Road ...	1039
Changanachery—Wazhur Road ...	511
Changannur—Munnar Road ...	1029
Edava —Kappil Road ...	520
Karumadi—Takazhi Road ...	900
Panmana Road—Maintenance of ...	595
Podiyadi —Neerattupuram road ...	1035
Puthukadai—Kollencode trace ...	895
Thanki Church Road ...	517
Road Boards ...	1028
Roads—Maintenance of ...	1032
Royal Stables —Electric supply to ...	784
Ryots road from Mavelikara—Pantalam road to Cherukunnam road ...	1031
Salt (*Bombay*)- Supply of ..	1000
Salvage of paddy sacks ...	1028
Schools—Abolition of ...	874
School at Mithrumalai ...	1019
School at Thrikkakara ...	673
Securities ...	82
Secretariat—Appointments in the— ...	445
Secretariat—Christian clerks in the ...	265
Secretariat—Krishnanvaga members in the ...	445
Shertallai cremation ground ...	336
Sirkar Vakils ...	671
South Indian Railway ...	599
S. M. R. V. Institute, Nagercoil ...	892,893
Standardisation of forms ...	262
State Manual ...	599
Statham Committee recommendations ...	177
Statham Committee Report ...	243-248
Stationery and Printing Departments—Amalgamation of ...	1030
Sub-Registrars ...	874
Sub-Registrars—Qualifications of ...	1037
Sub-Registrar's post—Qualification for ...	692,878
Sub-Registry office clerks ...	250
Sub-Registry Offices—1st grade clerks in the ...	508
Survey Assistant Superintendent ...	680
Swamps—Registry of ...	1010
Swampy Areas Committee Report ...	900
Taikad cremation ground ...	1005
Talavady river—Silting up of ...	676
Tamil Reporter in the Police Department ...	870

Questions and Answers—(*contd.*)

	Pages.
Tank north of Navaikulam temple ...	1011
Tannery ...	424
Tax on cocoanut gardens ...	523
Tax Remission ...	510
Tea seeds—Export of ...	164
Teachers—Age-bar for ...	1007
Teachers (*Departmental*)—Casual leave to ...	1022
Teachers (*Higher Grade*) ...	882
Teak and blackwood—Rates for ...	1014
Technical Examinations ...	1027
Technical Institutes ...	993
Technical School (*Sri Mulam*)—Persons trained in the ...	592, 596
Temple Entry Committee ...	73,773,776
Text Book Committee ...	997,1010
Text Book Committee—Nominations to the ...	690
Text Books for Form VI ...	878
Thanki Canal Ferry ...	518
Thonnallur-Chira in ...	877
Thrikkakara Village Panchayat Court ...	522
Timber contract ...	1013
Tincture Chemist ...	427
Tolls ...	866
Toll Gate on M. C. Road—Shifting of ...	168
Tovala and Agastisvaram Taluks—Revenue and Expenditure in ...	250
Trade Agent ...	76
Trade Agent in Bombay ...	1030
Training College Lecturers ...	340
Trivandrum Courts—Buildings for ...	992
Trivandrum drainage ...	778
Trivandrum Electric Superintendent—Appointments by ...	1009
Trivandrum Electric Supply ...	776
Tuberculosis Sanatorium in Travancore ...	1008
Urgent public works ...	884
Vaccination class ...	81, 439
Vaikam Hospital ...	1004
Valiakarimpuzha Mannar road ...	1023
Vamanapuram Dispensary ...	1024, 1025
Vamanapuram Dispensary—Road to ...	994
Vayalar East Chiras ...	891
V. S. L. C. Examination—History Examiner for the ...	868
Vempanni Chira ...	1020
Venjarammoodu—Market at ...	677

	Pages.
Questions and Answers—(*contd.*)	
Venkulam Railway Station ...	1012
Vernacular girls' schools' employees—Caste statement of ...	888
Vernacular schools—Recognised but not aided...	329
Vernacular schools employees Caste statement of ...	888
Vernacular teachers—Transfer of ..	991
Veterinary Hospitals ...	987
Vidura Dispensary ...	683
Village Panchayat Court at Veliathunad ...	1032
Vishavaidyasala ...	255
Warkala—Village Panchayat Court at ...	872
Women and Children's Hospital ...	788, 790 791, 794 796
Women's medical aid ...	444

R

Railway from Kottarakara to Ernakulam—Question re.	19
Ramasubba Aiyar, Mr. T. P.	
Bills—Edavagai Bill—Introduction of ...	283-288, 314
Education Committee Report—Debate on ...	152-157, 378-380
Resolutions—	
Cocoanut products—Export facilities for ...	460
Moratorium ...	478, 501
Supplementary Demands	
Minor Irrigation ...	232, 233, 234
Plague prevention ...	207
Police ...	209
Supplementary Questions—	
Tea seeds—Export of ...	167
Ramakrishna Panickar, Mr. V.	
Bills—	
Improvements Valuation Bill—Introduction of ...	1094
Education Committee Report—Debate on ...	110, 405
Questions—	
Judicial Department clerks ...	678
Kartikapalli Taluk public works—Revenue and expenditure on ...	890
Mundakan cultivation ...	678
Public Health Department and Ayurveda and Homeopathy ...	1015
Supplementary Demand—Minor Irrigation ...	215, 226-227

Ramakrishna Panickar, Mr. V.—(*contd.*)

	Pages.
Supplementary Questions—	
Confirmation Rules ...	78
Sub-Toll Gates ...	171
Tannery ...	426
Temple Entry committee Report ...	74
Tincture Chemist ...	428

Raman Pillai, Mr. R

Adjournment Motion-Rubber quota ...	852-854
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	374-375
Debtors' Protection Bill—Leave for introduction of ...	1096-1098, 1099
Edavagai Bill—Introduction of ...	278-281, 303
Edavagai Bill—Second reading of ...	612, 733, 742
Improvements Valuation Bill—Introduction of ...	1094, 1095, 1096
Questions—	
Caste statement of Vernacular Girls' school teachers ...	667
Kottayam Munsiff's Court ...	76
Kozhungalloo Chira ...	878
Supplementary Questions	
Edapalli Dispensary ...	431
Kanjirapalli English School—Land for ...	331

Rama Varma Raja Mr. P. G.

Bills—	
Edavagai Bill—Introduction of ...	288-291
Edavagai Bill—Second reading of ...	731

Reference—

To out-going Dewan—President, Mr. T. Austin	503-505
To retirement of Dewan, Mr. Austin ...	445

Resolutions—

Cocoanut products—Export facilities for ...	450-464
Export duty on copra—Abolition of ...	1100-1117
Moratorium ...	471-503
Salaries' Expenditure should not exceed 30 per cent of revenue—(*not finished*) ...	1117-1119
Vernacular teachers ...	464-471

Rule 77— ... **217-224**

	Pages.
Rulings—	
When the President is on his legs no member may put questions ...	266
The effect of a Bill when passed into law is a subject on which no member is entitled to get an answer from the Government ...	271
A member cannot complain of an answer because it does not suit his taste	256
Government member is bound to answer only questions relating to facts as they are in Travancore. Information as to what obtains elsewhere may be gained by the questioning member himself ...	253
Cross-examination cannot be allowed ...	196, 245, 425 1110
Supplementary questions	243,244
No explanation of a question is allowed	246
There cannot be any provisional support; there is only one kind of support ...	239
Matters of inference must not be the subject-matter of questions ...	325
Argumentative questions are out of order ...	325
The Chair's jurisdiction and member's interference with it ...	236
After claiming notice, the official member should not give any answer to the question of which he has claimed notice ...	90
Claiming of notice of supplementary questions...	89
Questions cannot be asked about the report made by a subordinate officer ...	677
Statement laid on the table in answer to an interpellation ...	668, 882
Time-limit for speeches on Bills ...	635
It is out of order for a member to attempt on a point after the Chair has given a ruling on it ...	620
After a question has been disposed of, no point of order can be raised about it ...	609
Ordinarily, answers to questions are expected to be short ...	209
Hypothetical matters need not be ruled ...	6
Supplementary questions must not relate to questions of policy ...	5

Rulings—(*contd*) Pages.

Supplementary questions must not throw out suggestions ... 5
It is for the Chair to allow questions being put ... 39
If a member wants to put another question he may do so within a reasonable time after his prior question ... 36
There is no use asking questions to elicit the opinions of the official member in possession. 40
There is no rigid rule regarding the number of turns, to put questions to the official member in possession, that each member has ... 39
Questions can be asked only to the member in possession, and not to members who put questions to the member in possession ... 38
When one member is in possession, all that other members can do is to put questions. They cannot make speeches ... 38
Effect of the supplementary grant, under which Education Committee Report was discussed, being carried ... 421
It is unparliamentary to refer to members being not honourable ... 144
Devaswom Fund can be discussed only under certain conditions ... 126
After the Chair has called one member to speak, it is out of order for any other member to speak ... 398
One of the rules of debate is that long questions may not be read ... 130
A question testing a member's knowledge need not be answered ... 146
It is presumed that members have a working knowledge of words and phrases. The explanation of ordinary English words in the course of discussion will not be allowed.. 200
It is out of order for a member to thank the Chair for giving him an opportunity to speak ... 134
A member has the right to speak low. If a member's voice is not loud enough, others have to take the chance. The Chair cannot put any compulsion on any member to speak louder than he can ... 155

	Pages.
Rulings—(*contd*)	
It is not the concern of one member whether another member follows the debate or not...	150
To prevent discussion of a Supplementary Grant, point of order against it must be raised at the beginning ...	196
If the Chair thinks that the matter of an interpellation had been sufficiently explained by answers to supplmentary questions, the Chair can proceed to the next question although several members may want to put further supplementary questions ...	172
Supplementary questions ...	167
If members put specific questions, the member in possession may have to answer them so long as he has not sat down ...	182
If an answer is satisfactory to the Chair, no further questions may be asked about the matter although the answer given may not be satisfactory to the member asking the question ...	165
The Chair can allow or disallow questions and cannot compel a member to answer in a particular way ...	165
Questions should not be put for obtaining information ordinarily available to the public or when the necessary documents are supplied by Government ...	190
If notice is claimed of a supplementary question, the procedure is to raise the question on a future occasion ...	174
The right of claiming notice to supplementary questions cannot be questioned by members .	174
Any reference to a matter likely to come up for discussion is out of order ...	493
An expression of opinion is not allowed in a question ...	589
Reference to meanings of expressions ...	567
It is discretionary with the President to allow polls ...	566
Interruptions ...	565
Poll —Method of taking ...	561
Hypothetical questions should not be indulged in.	557
In dealing with a Bill, members should not go into minute details of statistics ...	555

	Pages.
Rulings—(*contd.*)	
Whenever a member is in possession of the House, it is open to any other member, if he wants an answer to a relevant matter, to put questions to the member in possession ...	454
Members must always have an eye on the Chair..	961
It is out of order to refer to the time taken by oth r members ...	983
It is out of order to repeat what other members have already stated ...	982
What a particular officer is going to do is not for any member to deal with in the House..,	904
Argument between two members is out of order .	955
Members should not read any opinion in questions put to them ...	933
Interruption during speeches ...	818
Members must bow to the Chair when entering the Hall or leaving it ...	718, 835
Relevancy is for the Chair to decide ...	9:9
Short notice questions ...	895
Supplementary questions must not be inordinately delayed ...	867
Questions may be taken up again if the member concerned was absent when the questions were first called ...	863
Language of a member's speech in the Assembly.	851
Thanking the President for allowing discussion of an adjournment motion ...	845, 846
Difference between a memoer knowing English and his being able to speak in English ...	845
Interruption of speeches ...	806
Token motions *re* Demands for Supplementary Grants ...	224, 805, 807
Questions and answers stop at 12 noon ...	799
It is not in keeping with the dignity of the House to ask whether a subordinate was "lynched." ...	795
When a punishment is treated as confidential, the nature of the punishment also is confidential ...	795
Members should not import their own inferences ...	788
Nomination of members constituting Select Committee for amendment of Standing Orders ...	448, 449

	Pages.
Rulings—(*contd.*)	
Supplementary questions ...	1002
Select Committee President—Appointment of ...	317
Select Committees and parties in the House ...	315
A member is entitled to speak on a motion only when he opposes it or supports it ...	299
Questions (*unstarred*) ...	341
Questions can be asked only for facts ...	341
In fairness, the main interpellator must be given reasonable time to put supplementary questions, before others put supplementary questions ...	432
Non-member addressing the House is also subject to the rule as to time-limit like members ...	1113
Right of non-member (an offficial member of the Council) to address the Assembly ...	1113
Whether an official becomes a member of a House before he takes the oath ...	1111, 1113
Questions on matters of opinion need not be answered ...	1108
Interruptions ...	1106, 1108
Although the members are not entitled to be called 'Honourable,' nothing is seriously wrong if the term is used as a matter of courtesy ...	68, 532
Personal instances should be avoided ...	1118
Questions should not convey information ...	525
Questions may be put also to ascertain members' opinion ...	1091
A non-member, like an official member of the Council who is not a member of the Assembly, can only address the House and do nothing more ...	1088
Members should not reopen points ruled by the Chair nor adversely comment on the Chair's rulings ...	1079
It is not fair to say that the House should not be carried away by any gentleman's arguments ...	1081
Belated objection that a motion had not been seconded ...	1066
A question, asking for opinion, is not admissible ...	515
The Chair has to hear to find out whether a question is admissible or not ...	513

	Pages.
Rulings—(*contd.*)	
If the official member cannot lay his hands immediately on information asked for, he cannot except the whole House to wait. The simple remedy for him is to ask for notice of the question ...	512
Members must address the Chair ..	577
When one member is standing, any other member ought to resume his seat ...	509
Ruling for treating starred questions, which could not be answered orally for want of time, as unstarred questions so that the answers got ready would be available to the members ...	1022
Official members give answers on the authority of the Government. If the Chair finds that the answer is not proper, the Chair can rule that the information must be furnished ...	600
Supplementary questions ..	597
S	
Sambasiva Aiyar, Mr. R.	
Adjournment Motion—Rubber quota ...	856-857
Bills—Edavagai Bill—Introduction of ..	273-274
Education Committee Report—Debate on ...	38[illegible]-389
Resolution-Moratorium ...	471, 473
Supplementary Demands—	
Administration of Justice ..	237, 239
Minor Irrigation ...	213, 222
Supplementary Questions—	
Game Warden ...	327
Statham Committee Report ...	243
Statham Committee recommendations ..	179
Tea seeds—Export of ...	167
Sankaran Mr. K.	
Bills—	
Edavagai Bill—Introduction of ...	272
Public Service Recruitment Committee Report ...	829, 831, 832, 931, 932, 942-949, 953, 954, 955, 979
Questions—	
Assistant Inspectors and Inspectresses of Vernacular Schools—Caste statement of ...	18

	Pages.
Sankarân Mr. K.—(*contd.*)	
Questions—(*contd.*)	
Civil List—Supply of to members of the Legislature ...	1045
Hostels in Trivandrum ...	17
Judicial Department—Caste statement of clerks in the ...	879
Public Health Department—Assistant Surgeons in the ...	334
Supplemedtary Demands—	
B. L. class-Additional division for ...	814
Land Revenue Manual revision, and special staff for the Kottayam Division Cutcherry...	204
Supplementary Questions	
Arabic instruction in colleges ...	252
Communal representation ...	85
Jenmikaram Settlement Office	89
Mavelikara District Court ...	260
Secretariat—Appointments in the ...	445
Secretariat Clerks ...	257, 264
Securities (Gilt-edged) ...	82
Sivasubrahmanya Nadar, Mr. R.	
Questions	
Secretariat—Appointments in the ...	445
Secretariat Krishnanvaga members in the ...	445
Sivatanu Pillai, Mr. M.	
Bills—	
Edavagai Bill—Second reading of ...	647
Edavagai Bill—Select Committee for ..	313, 314, 315
Matches Bill—Introduction and passing of ...	544-546, 553
Education Committee Report—Debate on ...	67, 138-141
Public Service Recruitment Committee Report ...	938-940, 955, 973
Questions—	
Edalakudy Head Constable ...	891
Flood damages in Tovala and Agastisvaram...	887
Kottar Magistrate's Court cases—Transfer of...	514
Masupatti Bridge ...	887
Police Inspectors' uniform ...	607
Resolutions—	
Moratorium ..	482, 483, 486-488, 494, 496
Salaries' expenditure should not exceed 30% of revenue ...	1119

	Pages.
Sivathanu Pillai Mr. M.—(*contd.*)	
Standing Order No. 5—Amendment of ...	1074-1075, 1077, 1078, 1084
„ No. 12—Amendment of ...	1090, 1091
Supplementary Demands—	
Administration of Justice ...	237
General Hospital—Gas for ..	812
Lodging allowance for Mr. A. S. Aiyar ...	183
Minor Irrigation ...	214, 215, 227, 231
Police ...	209
Supplementary Questions—	
Game Warden ...	326
K. D H. P. lands ...	437
Muslims in the Education Department ...	163
Political pensions ...	517
S. M. R. V. Institute, Nagercoil ...	893
Tea seeds Export of ..	164
Text Book Committee—Nominations to the ...	691
Toll-Gates ...	170
Vaccination class ...	81
Venjaramudu—Market at ...	677
Vernacular schools, recognised but not aided ...	330
Women and Children's Hospital—Complaints against ...	789, 795
South Indian Railway ...	599
Standing orders amendment ...	447-450
Standing Order No. 5—Amendment of ...	1060-1085
„ No. 6—Amendment of ...	1085-1089
„ No. 12—Amendment of ...	1090-1093
State Manual ...	599
Statham, Mr. R M.	
Education Committee Report—Debate on ...	22-40, 60, 68, 124, 125, 414-421
Public Service Recruitment Committe Report ..	976
Resolution—Vernacular teachers ...	470
Supplementary Demand—Lodging allowance for Mr. A. S. Aiyar ...	179-182, 187, 189, 190
Statham Committee—Recommendation of ...	177
Statham Committee Report ...	243-248
Stenographers for the High Court ...	234-241
Sub-Registrars—Muslims as ...	74, 75
Sub Registry Office Clerks ...	250
Sub-Registrars' Post—Qualification for ...	602

	Pages.
Supplementary Demands—	
Administration of Justice ...	234-241
Archæology Superintendent's Tour ...	2!2
B. L. class—Additional division for ...	814-816
Changanachery Temporary Magistrate's Court ..	234-241
Co-operative Committee ..	242
Cut motion *re* ...	217-224
Education (Lodging allowance for Mr. A. S. Aiyar) ...	179-191
General Hospital—Gas for ...	804-813
Land Revenue (Land Reuenue Manual revision and special staff for the Kottayam Division Cutcheri) ...	192-204
Minor Irrigation ...	210-233
Plague prevention ...	205-208
Police ...	209 210
Standardisation Officer ...	817
Stenographers for the High Court ...	234-241
T	
Tax on cocoanut gardens ...	523
Tax remission ...	510
Temple Entry Committee Report ...	73
Text Book Committee ...	178, 179
Thanu Pillai, Mr. A.	
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	349, 366
Edavagai Bill ...	269, 270, 271, 281, 283, 291-294, 306, 309, 310
Edavagai Bill—Second reading of ...	579-585, 611, 616, 617, 621, 636, 641, 642, 645, 648, 661, 662, 707, 708, 710-714, 716, 717, 722, 724, 726, 730, 731, 732, 733, 734, 735-737, 739-741, 742, 743, 744-746, 747, 751-753, 754, 755-758, 760

Thanu Pillai, Mr. A —(*contd.*)

	Pages.
Bills—(*contd.*)	
Matches Bill—Introduction and passing of ...	542, 543, 559, 563, 565, 569, 570
Education Committee Report—Debate on ...	54, 61, 104, 116, 131, 142-149, 405, 407, 416
Public Service Recruitment Committee Report ...	817, 843, 931, 940, 948, 963, 979-981
Questions—	
Malayalam maps ...	605
Survey Assistant Superintendent ...	680
Resolutions—	
Export duty on copra—Abolition of ...	1112, 1115
Moratorium ...	490, 491, 492
Salaries' expenditure should not exceed 30 per cent. of revenue ...	1118
Vernacular teachers ...	469
Standing Order No. 5—Amendment of ...	1063, 1068, 1082
Supplementary Demands—	
Administration of Justice ...	235, 236, 237, 240, 241
B. L. class—Additional division for ...	816
Land Revenue Manual revision and special staff for the Kottayam Division Cutcheri ...	198, 199
Minor Irrigation ...	213, 216, 231, 232
Plague prevention ...	207
Supplementary Questions—	
Ayurveda ...	441
Beggars in Trivandrum ...	670
Communal claims for promotions ...	75
Courts Personal appearance in ...	669
Deputy Director ...	246
Jenmikaram Settlement ...	86
K. D. H. P. lands ...	437
Mavelikara District Court ...	261
Minor Irrigation ...	254
Midwife Anna Mathew ...	787
Railway Station at Venkulam ...	338
Mr Ramachandran—Selection of, as Drainage Engineer ...	780
Standardisation of forms ...	262
Tea seeds—Export of ...	166
Text Book Committee ...	245
Toll Gates ...	171

	Pages.
Token Motions—*Re* Supplementary Demands ...	217-224
Trade Agent ...	76
Training College Lecturers ...	340
Trivandrum—Hostels in ...	17
V	
Vaccination Class ...	81
Vaccination Class—Admission of Muslims to the ...	160
Velappan Nair, Mr. V. K.	
Public Service Recruitment Committee Report ..	835-840
Questions...	
Anchal Office at Talayolaparambu ...	1018
Assistant Chief Inspectress ...	1033
Director of Public Instruction—Institutions visited by ...	876
Director of Public Instruction's Office—Files in the ...	877
Director of Public Instruction's Office—Officers in the ...	876
Educational holidays ...	1013
Partition deeds—statement of ...	991
Pokkuvaravu cases ...	1005
Roads—Maintenance of ...	1032
Vaikom Hospital ...	1004
Velayudhan Pillai, Mr. T. P.	
Adjournment Motion—Rubber quota ...	859, 860
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	363, 365, 366, 368-372
Edavagai Bill—Introduction of ...	281, 282, 294
Edavagai Bill—Second reading of ...	615-619
Education Committee Report—Debate on ..	115, 408, 411-414
Public Service Recruitment Committee Report ...	952-956, 977
Questions—	
Bridges on the Aycad and Kozhithodu ...	1029
Chengannur-Illimala Canal ...	589
Chengannur-Mannar Road ...	1029
Electrical Engineer—Personal Assistant to the...	777
Examiners' Board for 1109 ...	1020
Fee concessions ...	1021
Forest economic survey ...	588
Hospital cooks ...	1102

Velayudhan Pillai Mr. T. P. (*contd.*)	Pages.
Questions (*contd.*) .	
Kollakadavu Bridge ...	
Dr. Noble—Touring work of ...	1027
Road Boards ...	798
Salvage of paddy sacks ...	1028
Securities ...	1028
Swampy Areas Committee Report ...	82
Technical Examinations ...	900
V. S. L. C. Examinations—History Examiner	1027
for the ...	
Resolutions	868
Export duty on copra—Abolition of ...	1108
Moratorium ...	471, 473-477
Supplementary Demands	
Land Revenue Manual revision, and special staff for the Kottayam Division Cutcherry ...	194, 195, 200-201
Minor Irrigation ...	224-225
Supplementary Questions	
Arabic instruction in Colleges ...	253
Cocoanut products—Export of ...	675
Confirmation Rules ...	77
K. D. H. P. concessions ...	435
Mavelikara District Court ...	261
Statham Committe recommendations ...	248
Velu Pillai, Mr. T. K.	
Bills	
Edavagai Bill—Second reading of ...	578
Matches Bill—Introduction and passing of ...	551-555, 564
Resolution—Moratorium ...	477-478, 483, 493, 494
Standing Order No. 5—Amendment of ...	1067-1068, 1072, 1073
Supplementary Questions	
Ceylon Copra—Import duty on ...	999
Political pensions ...	517
Vernacular teachers Transfer of ...	992
Welcome to Sir M. Habibulla ...	598
Vernacular Teachers (*Acting*) ...	464-471
Vishavaidyasala ...	255
Varghese, Mr. N. E.	
Adjournment Motion—Rubber quota ...	845-851, 861

Varghese, Mr. N. B. *(contd.)*

	Pages.
Bills—	
Civil Courts' Powers Amendment Bill—Introduction of ...	370
Edavagai Bill—Introduction of ...	272, 288, 289, 300, 308
Edavagai Bill—Second reading of ...	621-623 658, 665, 666, 754
Education Committee Report—Debate on ...	143, 382, 403-405
Public Service Recruitment Committee Report ...	930, 970-973
Questions	
Gazette ...	865
Industries Experts ...	1010
Mallappalli Dispensary ...	866
Manimala River Bridge on ...	1009
Public Library, Trivandrum ...	1025
Swamps—Registry of ...	1010
Tolls ...	866
Reference to outgoing Dewan—President, Mr. T. Austin	504
Resolution—Moratorium ...	475, 479-481, 485, 488, 491, 492
Standing Order No. 5—Amendment of ...	1081
Supplementary Demands—	
General Hospital - Gas for ...	810-811
Land Revenue Manual revision and special staff for the Kottayam Division Cutcheri ...	193, 197, 203
Lodging allowance for Mr. A. S. Aiyar ...	183
Plague prevention ...	207
Supplementary Questions—	
Changanacheri-Alleppey Canal ...	176
K. D. H. P. lands ...	439
Schools—Abolition of ...	875

W

Women's Medical Aid ...	144

PROCEEDINGS
OF
THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

FIRST ASSEMBLY.

SECOND SESSION.

Thursday, the 16th November 1933/1st Vrischikam 1109.

The Assembly re-assembled in the Victoria Jubilee Town Hall at Eleven of the clock, the Deputy President presiding.

QUESTIONS AND ANSWERS.

The Kuttapuzha canal.

16. *MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Will the Government be pleased to state:

(*a*) whether the Government have made any advance in their inquiry about the Kuttapuzha canal; and

(*b*) at what stage it stands now?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) & (*b*) An investigation has been ordered and provision has been made for it in the budget for 1109. The investigation will be taken up soon.

Temple-Entry Committee Report.

17. *MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Will the Government be pleased to state:

(*a*) the time fixed for the Temple-Entry Committee to finish its work, when it was constituted;

(*b*) the time actually spent by it;

(*c*) the expenditure to the Government if the Committee had completed its work in the time fixed at first; and

(*d*) as it is, the actual expenditure incurred by the Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Two months.

(*b*) Ten months and twenty days (on 16-3-09.)

(*c*) It is a hypothetical question and hence cannot be answered.

(*d*) The expenditure on the Committee till the end of Chingom 1109 alone is available. It comes to Rs. 17,948-23-14.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): With regard to answer to part (*c*), may I know what was the expenditure the Government had anticipated when forming the Committee?

G. P. T. 996. 350. 24-6-1109. B

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The information is not available with me.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapallai II*): Will the member be pleased to state when the Report, as matters stand, is due?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The period of the Committee has been extended up to the end of Thulam, and recommendation has been received from the President of the Committee to have the period extended up to the end of Dhanu, and I believe the President has stated that, by the end of Dhanu, the Report will be presented.

Hill allowance in the Devicolam Division.

18. ***MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*) Will the Government be pleased to state:

(*a*) the annual saving recommended by the Retrenchment Committee by the reduction of the hill allowance in the Devicolam Division;

(*b*) the saving actually effected by the Government as per order No. Fl. 450, dated 14-3-1932; and

(*c*) the annual saving as it now stands in the light of the order No. Fl. 1520/231, dated 14-8-1933?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): (*a*) Rs. 29,000.

(*b*) Rs. 29,000 per annum.

(*c*) Rs. 27,115.

Appointment of Muslims as Sub-Registrars.

19.* **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state whether there are qualified Muhammedans in the Registration Department for appointment as Sub-Registrars?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The answer is in the affirmative.

MR. M. MAHOMED HANEEF (*Nominated*): May I know from the member whether the Government will be pleased to appoint more Muhammedans as Sub-Registrars to make the number proportionate?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) More Muhammedans will be appointed when vacancies arise and when qualified Muhammedans are available for appointment as Sub-Registrars.

MR. K. MAHOMED (*Alwaye*): May I know whether there is any qualified Muslim for the post of Sub-Registrar in the office of the Director of Registration?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There is one Mr. Abdul Khadir Sahib who is already in the list of acting and temporary Sub-Registrars. He is an undergraduate. He has acted as a Sub-Registrar before and is waiting for his chance to be sent out again in the order of seniority fixed by Government. While

fixing his rank, his communal claims have been considered. If this were not done, he would have had to rank two or three places below his present rank.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : May I know whether, in giving promotions, communal claims are considered by Government ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Under certain exceptional circumstances, communal consideration is also taken into account.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Sir, may I know whether the member is in a position to state the circumstances under which such claims are taken into consideration ? Is there any definite policy in regard to that ? Can he give the House an idea as to when such a course is resorted to?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I have not got the information. I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : To the question asked by Mr. Haneef the answer was given that, until a certain proportion is reached, qualified Muhammedans will be appointed.

DEPUTY PRESIDENT : Are you putting a supplementary question ?

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Yes.

DEPUTY PRESIDENT : Please ask it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : The member was stating in answer to a former question that, until a particular proportion is reached, the claims of qualified Muhammedans will be specially considered. I wish to know what that proportion is.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I did not say, Sir, that, until a particular proportion is reached, qualified Muhammedans will be appointed. I only said that the claims of qualified Muhammedans will be considered when vacancies arise.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Did the member hear Mr. Haneef's question ?

DEPUTY PRESIDENT : The member must content himself with the answer given by the official member.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : The answer will be complete only when it is taken along with the question.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Sir, my answer to Mr. Haneef's question was that the claims of qualified Muhammedans will be considered when vacancies arise.

Muslim Sub-Registrar.

20. ***MR. M. MAHOMED HANEEF** (*Nominated*) : Will the Government be pleased to state the date when the only Muhammedan Sub-Registrar now in service was appointed ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Mr. C. H. C. Mahomed Kunju was appointed as a Sub-Registrar on the 12th Mithunam 1087.

MR. M. MAHOMED HANEEF (*Nominated*): May I know from the member whether there is any special reason for not appointing a second Muhammedan as Sub-Registrar during these long years?

DEPUTY PRESIDENT: You must modify your question, "long years" is a term which has no precise meaning.

MR. M. MAHOMED HANEEF (*Nominated*): May I know from the member whether there is any special reason for not appointing a second Muhammedan after the appointment of this Muhammedan in the year 1087?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): It was probably due to want of qualified Muhammedans for appointment as Sub-Registrars.

MR. M. MAHOMED HANEEF (*Nominated*): In answer to question No. 19, I received an answer that there are qualified hands in the department.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): He has been given a rank, and according to that rank, his turn has not yet come.

Kottayam District Munsiff s Court.

21. **MR. R. RAMAN PILLAI** (*Changanachery* cum *Peermade II*): Will the Government be pleased to state:

(*a*) whether they have given up the proposal to locate the Kottayam District and Additional District Munsiffs' courts also in the premises of the Kottayam District court; and

(*b*) if not, how far have the arrangements for the same progressed?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) No.

(*b*) The estimate and plan for the buildings are under preparation.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Will the member be pleased to say how long it will take to have the plan prepared and how long it will take to have the work begun?

MR. L. H. JACOB (*Ag. Chief Engineer*): The plans and estimates are under preparation by the Division Officer, Kottayam, and they have not yet been received by the Chief Engineer. The work will be taken up when funds are available.

MR. M. N. NAIR (*Kottayam I*): May I know whether Government have received protests from the people of Kottayam against the transfer of the Courts from the present building?

MR. L. H. JACOB (*Ag. Chief Engineer*): I have no information on that.

Trade Agents in India.

22. †**MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) how many Trade Agents are to be appointed in India from Travancore; and

(*b*) the centres where the Trade Agents are to be appointed from Travancore.

Mr. T. C. THOMMEN (*Ag. Secretary to Government*) : (*a*) The question is under consideration.

(*b*) This does not arise in view of the answer to part (*a*) above.

Mr. S. J. NAIR (*Nedumangad*) : May I know from the member whether the question of appointing paid trade agents also is under consideration ?

Mr. T. C. THOMMEN (*Ag. Secretary to Government*) : The question of appointing paid trade agents is under consideration.

Confirmation Rules regarding Service.

23. ***Mr. A. S. DAMODARAN ASAN** (*Mavelikara*) : Will the Government be pleased to state :

(*a*) the general rules accepted by them for confirming persons who have acting claims ; and

(*b*) whether it is the length of acting period or the priority of the date of first appointment that is the criterion for the confirmation ?

Mr. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : (*a*) The confirmation of officers who are acting in any post will ordinarily depend on seniority and efficiency.

(*b*) The criterion of seniority for purposes of confirmation in a post is priority of first appointment thereto.

Mr. A. S. DAMODARAN ASAN (*Mavelikara*) : Is that the rule to be followed by all the Heads of Departments?

Mr. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : That is the rule to be followed by all Heads of Departments.

Mr. A. S. DAMODARAN ASAN (*Mavelikara*) : Is there any test for efficiency?

Mr. R. NILAKANTA PILLLAI (*Financial Secretary to Government*) : Generally it depends upon the opinion of the Head of the Department or of the Head of the Office.

Mr. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : മുൻകൂട്ടി സർവീസിൽ പ്രവേശിച്ച ആളുകളുടെ ആക്ടിംഗ് കാലാവധി അവസാനിക്കുമ്പോൾ പിന്നീടു ജോലിയിൽ പ്രവേശിച്ചവരെ പിരിച്ചുവിട്ട് ആ സ്ഥാനത്തു ആദ്യം സർവ്വീസിൽ പ്രവേശിച്ചയാളിനെ നിയമിക്കുന്ന നയം സ്വീകരിച്ചിട്ടുണ്ടോ?

Mr. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : മൊത്തത്തിൽ അതാണു് നയം; എന്നാൽ ചില ഡിപ്പാർട്ടുമെൻറുകളിൽ അതു സാധിച്ചു എന്നു വരികയില്ല.

Mr. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ചില ഡിപ്പാർട്ടുമെൻറുകളിൽ ഈ നയം നിഷ്കർഷയായി അനുവർത്തിക്കുന്നില്ലെന്നാണോ പറയുന്നതു്?

Mr. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : സെക്രട്ടേറിയേററിലും അക്കൗണ്ടാഫീസിലും ഈ നയം അനുവർത്തിച്ചുവരുന്നു എന്നു തീർച്ചയായി പറയാം.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ശേഷമുള്ള ഡിപ്പാർട്ടുമെൻറുകളിൽ ഈ നയം അനുവർത്തിക്കാതിരിക്കുന്നതിനുള്ള കാരണമെന്താണ ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): കാരണം ഊഹിച്ചു പറയുവാനേ തരമുള്ളൂ. അതായത് തോവാളതാലൂക്കിലായിരിക്കും ഒരു ഒഴിവുള്ളത്. ആ സമയത്ത് സീനിയർ ആക്ടിംഗ്കാരൻ ദേവികുളത്തായിരിക്കും ജോലിനോക്കുന്നത്. അയാൾ അവിടെനിന്നും തോവാളയിലേക്കു വരുമ്പോൾ ആക്ടിംഗ് ഒഴിവിൻെറ കാലാവധി തീർന്നേയ്ക്കാൻമതി. അങ്ങിനെ വരുന്ന സന്ദർഭങ്ങളിൽ ഈ നയം സാധാരണമായി അനുവർത്തിക്കാറില്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഇങ്ങനെയുള്ള സന്ദർഭങ്ങളല്ലാത്തുള്ള കാലങ്ങളിൽ ഈ നയം അനുവർത്തിക്കാൻ ഉത്തരവയക്കുമോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഗവൺമെൻറുത്തരവയച്ചിട്ടുണ്ടായിരിക്കണം.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): "ഉത്തരവയച്ചിട്ടുണ്ടായിരിക്കണം" എന്നേ മെമ്പർക്കു പറയുവാൻ സാധിക്കുകയുള്ളോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ഫിനാൻഷ്യൽ സെക്രിട്ടറിയേററിൽനിന്നും ഈ സംഗതിക്ക് അങ്ങിനെ ഉത്തരവയച്ചിട്ടില്ല. ജനറൽ സെക്രിട്ടറിയേററിൽനിന്നും ഉത്തരവ് അയച്ചിട്ടുണ്ടോ എന്നു ഇപ്പോൾ പറയാൻ നിവൃത്തിയില്ല.

DEPUTY PRESIDENT: What Mr. Velayudhan Pillai wants to know is whether the official member is able to make a statement as to whether that has been done or not.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I have already given my answer.

MR. S. J. NAIR (*Nedumangad*): May I know whether the same principle applies to the Survey Department?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It applies to every department in the State.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Head of the Survey Department has violated those principles and rules?

DEPUTY PRESIDENT: I disallow that question.

MR. K. R. ELENKATH (*Kalkulam I*): May I know to which preference is given when efficiency and communal claims come to clash?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I am not in a position to answer the question.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): Will the member be pleased to state whether any instance has come to the notice of Government that the general rule has not been observed by any Department?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I have no information.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): My question was whether Government have any information.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I have no information. If the member would refer to any specific instance, the matter can be enquired into.

DEPUTY PRESIDENT: I think it is necessary in the interests of proper answers being given that the member in charge should be able to say whether he answers on behalf of Government or on behalf only of his department. (*Hear, hear*).

The question is whether Mr. Nilakanta Pillai, Financial Secretary to Government and Account Officer, is speaking on behalf of his department or on behalf of Goveremment.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I am referring to Government in the Finance Department—not to Government in the Administrative Department.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): We do not catch the member. We are anxiously expecting to hear his reply.

DEPUTY PRESIDENT: You may put a question and he will answer.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): We want to know whether he speaks on behalf of Government.

MR. R. NILAKANTA PILLAI (*Financial Secr.tary to Government*): I am speaking on behalf of Government in the Finance Department.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I remind the member that a short while ago he was telling us that he was not aware of the orders of Government?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Kindly put the question once more.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): A short while ago we heard him say, in answer to the question whether any orders have been issued by Government, that he was not aware.

DEPUTY PRESIDENT: That is a statement and not a question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether, when he was answering the question about all departments, he was answering it only from the point of view of the Financial Department or the Government?

DEPUTY PRESIDENT: He has already stated his position.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether he has any other view except the financial view on this question?

DEPUTY PRESIDENT: He has already stated that he is speaking only on behalf of the Finance Department of Government.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I rise to a point of order. In answer to this question, members expect to receive answers on behalf of Government as a whole. The Financial Secretary is answering only on behalf of the Financial Secretariat. I want to know who is to give the balance of the answer.

DEPUTY PRESIDENT: The point that has been raised had been already anticipated by me and that is the reason why I asked the Government member whether he spoke on behalf of Government or only on behalf of his department. The member stated that he represents Government in the Finance Department. That means that he is not able to say anything more about the policy of Government except what pertains to his department.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I rise to a point of order. It is necessary that Government should make some arrangements for giving full answers on behalf of Government as a whole.

DEPUTY PRESIDENT: That is a matter on which the member may address Government separately and not examine Mr. Nilakanta Pillai.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): What are we to do when sending questions? Are we to expect a particular member to answer on behalf of Government or are we to expect Government to give full answers?

DEPUTY PRESIDENT: I am expected only to give a ruling on a subject that relates to proceedings in this House. What the Government may do on this matter is not a thing which comes within the purview of this House. If the members feel that better arrangements should be made, they may address Government in regard to that.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know clearly whether I am right or wrong in taking whatever comes from the official side as coming on behalf of Government. I was always under the impression that, when a member speaks from the official side, he speaks on behalf of Government and in no other capacity than that of Government. I want to know whether, when an official member is speaking, he is responsible for what he is saying on behalf of Government.

DEPUTY PRESIDENT It is a matter for inference.

MR. A. THANU PILLAI (*Trivandrum-Rural*): It is not.

DEPUTY PRESIDENT: It is a matter for inference because, when the Government entrust any particular business to one of their officers and that officer stands up in this House and answers on behalf of Government, it is only right that we take it as on behalf of Government.

If a member says anything on behalf of Government, we can make our own inference. It is not a point on which a ruling is necessary.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): According to Rule 19,

> "No discussion shall be permitted in respect of any question or of any answer given to a question."

Therefore my point is that there is no discussion.

DEPUTY PRESIDENT: I do not agree with you.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I requst the Deputy President to address the Government on behalf of the House for getting proper answers?

DEPUTY PRESIDENT : That representation of the member may be considered. I may also express the wish that a responsible officer of Government will make a statement, if necessary, if they deem fit, explaining the position of the official members. The House takes it that every officer who is there on the other side represents Government not only in his own department but in general.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know whether it is not to be gathered from the Regulation and rules? Is it for the official member to say what he is here for? He is here to do what the law wants him to do. It is not for him to say what he is here for.

The Vaccination Class.

24.* **MR. A. S. DAMODARAN ASAN** (*Mavelikara*) : Will the Government be pleased to state:

(*a*) the number of places that are at present available for the condidates who have passed out of the vaccination class held last year; and

(*b*) if the number of such places is not adequate to provide for the available qualified hands, why it is proposed to hold a new class this year?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : (*a*) Nil.

(*b*) Government do not intend opening a vaccination class this year similar to that held last time.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Is there provision in the budget for the same?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether a large number of vacancies was expected to occur when that provision was made?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag Chief Secretary to Government*) : I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether, when appointments are made from those who have passed the tests, persons who have secured a higher rank will be preferred to those who have secured a lower rank?

RAO SAHIB DR. N. KUNJAN PILLAI(*Ag. Chief Secretary to Government*) I should think that that is the rule generally followed.

MR. M. SIVATANU PILLAI (*Tovala*) May I know whether the answer he gives is on behalf of the Vaccintion Department or the Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : On behalf of Government.

Sale rate of electric power at Alwaye.

25. **MR. M. K. JANARDANA KAMATH** (*Commerce and Industry, North*) : Will the Government be pleased to state the rate at which they propose to sell electricity at Alwaye for the following purposes :—

[Mr. M. K. Janardana Kamath.]

(i) for lighting houses :

(ii) for street lighting and other municipal purposes ; and

(iii) for factories ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : The rates have not yet been finally settled.

Purchase and sale of securities by Government.

26. *MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : Will the Government be pleased to state :

(*a*) whether Government have entered into purchase and sale of securities on their own account ; and

(*b*) whether any profit has accrued to Government as a result thereof ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : (*a*) Yes.

(i) 245 lakhs of the 3 1/2 per cent. paper was converted into the 4 per cent. 1960-70 securities at an average difference payment of about B. Rs. 11-14 per cent.

(ii) 5 lakhs of 5 per cent. 1945-55 paper was converted into Rs. 2 lakhs of the new 3 1/2 per cent. 1947-50 at B. Rs. 93-10 per cent. and Rs. 3 lakhs of the 4 per cent. 1960-70 at B. Rs. 93-11 per cent.

(*b*) In addition to the better yield in interest amounting to Rs. 6,000 per annum for a long period, the whole transaction appears to be advantageous to Government. 4 per cent. 1960-70 securities are repayable by the Government of India at par in the year 1960 or at any time between 1960-70 at three months' notice. The price of 4 per cent. 1960-70 has already gone up to Rs. 98-8, although the period for repayment extends to a minimum of about 26 1/2 years. 3 1/2 per cent. Government of India securities which Government are having for several years past are never repayable by Government of India and hence a non-terminable security has been converted into a terminable security.

The 5 per cent. 1945-55 securities which were originally purchased by Government at Rs. 95 per cent. were sold recently at Rs 109-12. This security is repayable at par by the Government of India in the year 1945 and the price of the security is therefore bound to go down to Rs. 100, at or near the period of maturity. If all these transactions were effected only now, instead of in April-May last, Government would have to pay an extra sum of B. Rs. 78,700; or in other words, if the securities recently purchased were sold and the securities existing in April-May 1933 were repurchased, Government would get a cash profit of Rs. 78,700.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) ; I rise to a point of order. Is it an answer or a speech ?

DEPUTY PRESIDENT : It is an answer which is so very long that it is more in the nature of a statement than an answer.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഗവൺമെൻറിൽ നിന്നും സഹായധനം വാങ്ങിക്കുന്ന മററു ബാങ്കിംഗ് സ്ഥാപനങ്ങൾ ഈ പ്രവൃത്തി ചെയ്യുന്നതു ആദായകരമാണെന്നാണോ ഗവൺമെൻറിൻെറ അഭിപ്രായം?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : ഇതു ഗവൺമെൻറുതന്നെ നേരിട്ടു ചെയ്യുന്നതാണ്.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഗവൺമെൻറു ധന സഹായം വാങ്ങിക്കുന്ന സ്റ്റേററ് എയിഡഡ്ബാങ്ക് മുതലായ സ്ഥാപനങ്ങൾ ഈ പ്രവൃത്തി നടത്തുന്ന നയം ശരിയാണോ?

MR. R. NILAKANTA PILLAI (*Financial Secretray to Government*) : ഞാൻ പ്രസ്താവിച്ചതു ഗവൺമെൻറിൽ നിന്നും നേരിട്ടു നടത്തിയിട്ടുള്ള കൈമാററങ്ങളെപ്പററിയാണ്. സ്റ്റേററ്എയിഡഡ് ബാങ്കുമായിട്ടു ഈ കൈമാററങ്ങൾക്ക് യാതൊരുബന്ധവുമില്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഇങ്ങിനെയുള്ള പ്രവൃത്തികൾ മററു ബാങ്കിംഗ് സ്ഥാപനങ്ങൾ തുടന്നുകൊണ്ടു പോകുന്നതു നല്ലതാണോ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): ബ്രിട്ടീഷ്ഗവൺമെൻറു സെക്യൂറിട്ടികൾ ആക്കും വാങ്ങിക്കുകയും വിൽക്കുകയും ചെയ്യാം.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അതു ആദായകരമല്ലേ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : ആദായകരമായിട്ടുചെയ്യുകയാണെങ്കിൽ ആദായമാണ്; അല്ലെങ്കിൽ നഷ്ടമാണ്.

Jenmikaram Settlement Officers.

27. ***MR. E. V. KRISHNA PILLLI** (*Pattanamtitta*) : Will the Government be pleased to state :

(*a*) the nature of the work and pay of the Special Jenmikaram Officers appointed recently, and

(*b*) whether they directed, (as a result of the conference held in connection with this question), the Special Jenmikaram Officer to select persons from the Land Revenue Department, Huzur Secretariat and the Account Office, and, if so, why persons from other departments were appointed ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) The Additional Taluk Jenmikaram Settlement Officers (not Special Jenmikaram Officers as stated in the interpellation) are appointed to dispose of jenmikaram settlement cases and to render generally all possible help to the Tahsildars, who are Taluk Jenmikaram Settlement Officers, in carrying out jenmikaram settlement work quickly and promptly.

The pay of the additional officers is fixed as Rs. 75 each per mensem (average), that is—pay with deputation allowance should not exceed Rs. 75.

(*b*) Yes. But a few hands were selected from other departments to give representation to the members of certain communities, which are not adequately represented in the jenmikaram work.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): In answer to part (*b*), may I know what was the necessity for a deviation from the original arrangement?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): At the time of the conference, the persons to be appointed as Special Jenmikaram Settlement Officers were not selected. The conference decided as to the number of hands to be appointed and the pay to be given to them. The personnel was not discussed.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Am I to understand from the member that the departments from which these hands may be recruited were also fixed at the conference?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No hard and fast rule was laid down. It was generally understood that Special Jenmikaram Settlement Officers should be selected from the Land Revenue Department, the Huzur Office and the Account Office.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know who is primarily responsible in the matter of selection of these officers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Lists were forwarded from the Land Revenue Department, the Account Office and the Huzur Office. The selection was made from these lists by the Jenmikaram Settlement Officer.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): So, the selection was made by the Jenmikaram Settlement Officer first.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): With regard to jenmikaram work, was there any standard of knowledge fixed for officers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The standard of efficiency was the requisite qualification.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is not a knowledge of affairs a necessary qualification in the matter of collection of jenmikaram?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No such thing was fixed at the conference.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) May I know whether Government were entirely responsible for the selection of special Jenmikaram Officers?

RAO SAHIB DR. N. KUNJAN PILAI (*Ag. Chief Secretary to Government*): Not solely. Lists were received from the Land Revenue Department, Account Office and Huzur Office. They were sent to the Jenmikaram Settlement Officer and he made the selection first. Subsequently, a few additions were made by the Government in order to give representation to the members of certain communities which were not adequately represented.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): So subsequent to the selection by the Jenmikaram Settlement Officer, Government appointed certain persons without getting the consent of the Jenmikaram Settlement Officer?

RAO SAHIB DR. N. KUNJAN PILAI (*Ag. Chief Secretary to Government*): No. Some persons were selected in consultation with the Jenmikaram Settlement Officer.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Before this list was sent to the Jenmikaram Settlement Officer, was he asked to observe communal representation in the matter of selection?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I do not think that he was asked to do so.

MR. S. J. NAIR (*Nedumangad*): May I know whether any person who was seriously engaged in the promotion of *nivarthanam* movement was appointed as a special Jenmikaram Officer?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I have no information.

MR. S. J. NAIR (*Nedumangad*): May I know whether the promoters of the *nivarthanam* movement were found out through the aid of the C. I. D?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Should I answer that question, Sir?

DEPUTY PRESIDENT: The question does not arise.

Allow me to make a statement, not that I want to give any legal advice to anybody. But I certainly feel that, in putting questions, the rules relating to the putting of questions will be pursued carefully and advantage will be taken of the policy of the law as enunciated in those rules.

MR. K. SANKARAN (*Kartikapalli I*): Have not Government issued general circulars to all Heads of Departments that, when appointments are made, due representation must be given to unrepresented communities?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There is a sort of understanding, that, in making initial appointments, communal consideration should also be taken into account.

MR. K. SANKARAN (*Kartikapalli I*): So, am I to understand that Government hitherto have issued no such circular to any departmental head?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): They might have.

MR. K. SANKARAN (*Kartikapalli I*): May I know whether the purport of that circular applies to the selection of special Jenmikaram Officers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is the member in a position to say when the Government expect the Jenmikaram work to be completed? I just want to have a rough idea in the matter.

RAO SAHID DR. N. KUNJAN FILLAI (*Ag. Chief Secretary to Government*): I cannot give a definite answer to that question. The Jenmikaram Settlement Officer, when he applied for additional hands, reported that the work might be finished by the end of Makaram this year. I am unable to say whether it will be finished by that time.

Staff of the Jenmikaram Settlement Office.

28. *MR. P. C. NARAYANA BHATTATIRIPAD (*Travancore Jenmies, South*): Will the Government be pleased to state:

(*a*) the number of inexperienced hands appointed for the jenmikaram settlement and the number of hands who have had experience in any departments;

(*b*) whether the Jenmikaram Settlement Officer, or any other officer has examined the subordinate officers to ascertain whether they have read and understood the provisions of the Jenmi-kudiyan Regulation; and

(*c*) if so, whether there are any records for the same.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Number of inexperienced hands appointed-45. Number of experienced hands appointed-75.

(*b*) Yes.

(*c*) No.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*): പരിചയമുള്ളവരെ കിട്ടായ്കനിമിത്തമാണോ പരിചയമില്ലാത്തവരെ നിയമിച്ചത്?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*); പരിചയമില്ലാത്തവർക്ക് പരിചയമുണ്ടാക്കി കൊടുക്കാൻ വേണ്ടേർപ്പാട് ചെയ്തിട്ടുണ്ട്.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*): അതിലേക്കെന്തെല്ലാം ഏൎപ്പാടുകളാണു് ചെയ്തിട്ടുള്ളതു്?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : അവൎക്കുവേണ്ടി നിർദ്ദേശങ്ങളെല്ലാം ജന്മിക്കരംസ്പെഷ്യലാഫീസർ കൊടുത്തിട്ടുണ്ടു്. അതനുസരിച്ചു ശരിയായി നടക്കുന്നുണ്ടോ എന്നു അദ്ദേഹത്തിന്റെ സൎക്കീട്ടിൽ നോക്കുന്നുമുണ്ടു്.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*) : പരിചയമില്ലാത്തവരുടെ നിയമനംമൂലം ഏതാനും ചില കുഴപ്പങ്ങളുണ്ടായിട്ടുള്ളതായി ഗവൺമെന്റിനറിവുകിട്ടിയിട്ടുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : ഇല്ല.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*) : ഇവൎക്കു കൂടുതൽ പരിചയമുണ്ടാകുന്നതിനു എന്തെങ്കിലും ഏൎപ്പാടുചെയ്യുവാൻ ഗവൺമെന്റിനു ദയവുണ്ടാകുമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : അത്യാവശ്യമുണ്ടെങ്കിൽ വേണ്ട ഏൎപ്പാടു ചെയ്യുന്നതിൽ വിരോധമില്ല.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*) : പരിചയമില്ലാത്തവരെ നിയമിച്ചതുകൊണ്ടു ജന്മിക്കരം സെറ്റിൽമെന്റു തീൎക്കുന്നതിനു താമസം വരുന്നതായിട്ടു ഗവൺമെന്റിനു അറിവുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : അങ്ങിനെ ഗവൺമെന്റു വിചാരിക്കുന്നില്ല. പരിചയമില്ലാത്തവൎക്കുവേണ്ട പരിശീലനം കൊടുത്തിട്ടുണ്ടു്. പരിചയമുള്ളവർ ചെയ്യുന്നതുപോലെ തന്നെ പരിചയമില്ലാത്തവരും ചെയ്യുന്നുണ്ടു്.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : It is stated in the answer that the number of inexperienced hands appointed is 45. Is it because of the dearth of experienced hands that such a large number of inexperienced men were recruited ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) Government took a certain number of hands from the Land Revenue Department, the Account Office and the Huzur Office. It is not possible for the Government to recruit all experienced men from these departments and deplete them of useful hands.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : When the member says that 45 inexperienced hands were taken, can I take it that those persons were in service at *any* time ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I cannot say that. The Jenmikaram Officer might have taken fresh recruits.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): The answer to part (*b*) is in the affirmative. May I know whether any prescribed test has been applied just to know whether the selected officers are competent to work the Jenmi-kudiyan Regulation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There is no test. When the Jenmikaram Officer goes on circuit, he examines the work done by these people and decides whether the work is satisfactory and whether the men selected are really efficient.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Am I to take it from the member that the new recruits were found competent only long after they were appointed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The new recruits were given necessary instructions by the Jenmikaram Settlement Officer, and during his inspections, he has tested their efficiency.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Does not the Government think that some expert knowledge is necessary in the matter of working the Jenmi-kudiyan Regulation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The Special Settlement Officers must be conversant with the provisions of the Jenmi-kudiyan Regulation and the Rules published thereunder. They must also know the commutation rates. If this is the kind of expert knowledge needed, certainly the new recruits can be said to have it. I do not know what the member means by expert knowledge.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Before appointments were made, may I know whether Government were thoroughly satisfied that the recruits had read and understood the provisions of the Jenmi and Kudiyan Regulation?

RAO SAHIB DR N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): After making appointments the Jenmikaram Settlement Officer gave necessary instructions to his subordinates, and he has reported that he is perfectly satisfied with their work.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether, in reference to part (*b*), Government have enquired into the number of cases decided by these subordinates at the Taluk Offices which come up for revision and what percentage of those cases are sent back because of mistakes committed by such subordinates?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Periodical reports are submitted by the Jenmikaram Settlement Officer on the work of the subordinates. I have not got those reports with me. If the member wants to see them, they can be shown to him.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government will call for information as to the percentage of cases which are sent back for revision?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government have no objection to do it.

MR. K. SANKARAN (*Kartikapalli I*) : May I know, if I am right in inferring that the so-called inexperienced clerks—

DEPUTY PRESIDENT : You cannot put such a question.

MR. K. SANKARAN (*Kartikapalli I*) : May I know whether the clerks who are inexperienced were given the same sort of instructions as the clerks with experience?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Both the inexperienced and experienced Special Jenmikaram Settlement Officers were given the same sort of instructions.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : It is stated in the answer that the number of inexperienced hands appointed is 45 and those experienced is 75. Am I to understand from this that those 75 hands had experience only in one of the departments in the State ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : The number given in the answer refers to those experienced in jenmikaram work.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether those 45 inexperienced hands have no experience in any department ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government.*) I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : But it is in the question.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : The question as it stands has been answered. For any additional information required, I claim notice.

DEPUTY PRESIDENT : It is a matter for the answering member to say whether he wants notice or not.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Then the question need not come up for answer at all.

DEPUTY PRESIDENT : When the member stated that he wants notice, there is an end of the matter.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I rise to a point of order. On a question to which under the Statute we have given notice—

DEPUTY PRESIDENT : Let me hear your question once more.

MR. K. KUJUKRISHNA PILLAI (*Quilon I*) : Sir, I shall be more clear. A particular member gives notice of a question to be asked at the Assembly. On the specific wording of the question, the member is entitled to get an answer Can the official member claim notice on a question of which notice has been given under the Statute?

DEPUTY PRESIDENT : It is not possible to anticipate all the matters which may be raised in supplementary questions. If therefore a Government member thinks that he wants notice, it depends on the fact of his knowledge. Therefore, no further thing can be done. It is for him to claim notice or not.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I am not answering the point of order. The question asked by Mr. Damodaran Asan is............

DEPUTY PRESIDENT: I would not allow the member to give any more answer because he has already claimed notice (*Laughter.*)

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know from the member whether anybody included in the number 45 is included in the number 75 also?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No.

Complaints against the Jenmikarom Settlement Officers.

29. **MR. P. C. NARAYANAN BHATTATIRIPAD** (*Travancore Jenmies, South*): Will the Government be pleased to state:

(*a*) whether they have received any complaints to the effect that the subordinate officers in the taluks are creating unnecessary obstacles in the matter of jenmikaram settlement;

(*b*) if so, whether any action has been taken on them;

(*c*) whether complaints have arisen as to the improper behaviour of the Jenmikaram Officers towards the managers and representatives of the Jenmis; and

(*d*) if so, what action has been taken on them?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) No.

(*b*) In view of the above answer, this does not arise.

(*c*) No.

(*d*) In view of the answer to (c), this does not arise.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies South*): മേലാൽ പരാതി ഉണ്ടാകാതിരിക്കത്തക്കവണ്ണം കൂടുതൽ ശ്രദ്ധിക്കുന്നതിനു ഗവൺമെൻറിനു ദയവുണ്ടാകുമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): പരാതി ഉണ്ടെന്നു് ഉത്തരത്തിൽ പറഞ്ഞിട്ടില്ല.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the Government have enquired of the Tahsildars as to whether the representatives of the Jenmies had complained about the behaviour of these subordinate Jenmikaram Settlement Officers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The answer given was based on the report of the officer and it is presumed that he has made necessary enquiries.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): My question is whether he has enquired of the Tahsildars.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the member would be kind enough to enquire of the Tahsildars?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

Muslims in the Jenmikaram Settlement Office.

30. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state;

(*a*) how many appointments have been made for the new Jenmikaram Settlement office ;

(*b*) what is the number of Muslims who applied for appointments in the said office :

(*c*) how many Muslims have been appointed till now ; and

(*d*) what is the nature of the appointments made ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) 152 appointments.

(*b*) 15 applications.

(*c*) 9 appointments.

(*d*) 2 Additional Taluk Jenmikaram Settlement Officers; 1 clerk : 3 copyists : 3 Peons.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : May I know from the member whether all the appointments made were given effect to simultaneously ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : No.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : May I know why there was delay in giving effect to all the appointments ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : The appointments were made and given effect to according to necessity.

DEMANDS FOR SUPPLEMENTARY GRANTS—(*contd.*)

DEPUTY PRESIDENT: We now proceed to the discussion of the Education Reforms Committee Report.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Before we proceed with the further discussion, may I make one request ? There are three more official days. According to the first notice, two days are set apart for the discussion of the Committee's Report, two days for official legislative business and one day for other supplementary demands. May I make a request that more time may be made available for the discussion of the Committee's Report in case we are able to see that all the three days are not required for the official legislative business and the other supplementary demands so that the discussion may not be closed to-day ?

DEPUTY PRESIDENT : I think that may be arranged. After finishing the other business, any time available can certainly be used for the purpose.

MR. T. P. RAMASUBBA AIYAR (*Nominated*) : That is we will get at least one more day.

DEPUTY PRESIDENT : Mr. K. Kunjukrishna Pillai has already stood up to speak.

MR. K. R. ELENKATH (*Kalkulam I*) : A point of order, Sir. We have to vote upon the demand.

DEPUTY PRESIDENT : You must put a question on the point that arises, without any explanation. What is the question?

MR. K. R. ELENKATH (*Kalkulam I*): From the Chair we are made to understand that, if, during the official business days, time is available, you will allow us to continue the discussion. I would like to know whether the voting of the demand is to take place this evening or after the whole discussion.

DEPUTY PRESIDENT: It goes without saying that, when the discussion is allowed to continue, voting will be at the end of the discussion.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇന്നത്തെ പ്രസംഗത്തിനു സമയക്ലിപ്തം ചെയ്തിട്ടുണ്ടോ?

DEPUTY PRESIDENT: That has been already explained, Mr. Kunjukrishna Pillai is in possession of the House.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I was at the question of the amalgamation of the Colleges and I was saying that it is necessary to have all the classes within a single area so that it may be of effect as anticipated in the Report. I have got also another reason to say that the separate existence of Intermediate Colleges cannot be justified even on other grounds. The existence of separate Intermediate Colleges, whether they be considered as part of the University Courses or separate from the University as post-High-School classes, it has to be admitted that they must either be an adjunct to the High Schools or they must be an adjunct to the Colleges. Intermediate classes will suffer and greatly suffer if they are isolated and placed in a sort of *Trisankhuswarga*. In my opinion and in the opinion of learned educationists whose works I have read, it is absolutely necessary that Intermediate Colleges should be attached to Secondary Schools. That may be accepted: or if they are considered as University Classes, they may be attached to the University Colleges. If they are not attached in one way or the other, I think they must be made to conform to one or the other. Because of our connection with the University, the idea of connecting them with the Secondary Schools of the State is out of question. So we have to take that they are part of the University Courses and therefore they should not be separated. If Intermediate Classes alone are situated in a particular institution, it is obvious that the tuition that they will get will be inferior to the tuition given in Intermediate classes which are attached to First Grade Colleges or colleges with Honours Courses because the Professorial staff in such colleges will be more efficient and Intermediate classes in such institutions will get better tuition and better instruction than the isolated Intermediate Colleges. That is another argument that I advance to support the view that Intermediate College as such should be discourged and should not be encouraged by Government. It has been the tendency in recent years of the Madras University not to encourage the formation of Second Grade Colleges. We are already spending money; and if you spend more money, that money should be spent usefully. If we give only two years of instruction in the High School classes and two years of instruction in the collegiate classes, that will not at all be effective. So spend some more money and give college students a chance of getting at least four years' college life in an ideal institution which Mr. Statham has pictured so well in his Report. I am at one with him when he wants

a magnificent show to be run. I must tell him that he should not have subordinate troops to run parts of the show in other places of Travancore. That is all I have to say with regard to that.

Then with regard to the raising of fees in colleges, I have to say a few words. Sir, it is not argued and I have not been arguing that we want reform without expenditure. But the raising of fees in the Colleges, when we consider the capacity of the average man who sends his boy to colleges in Travancore, cannot be justified. A majority of the students who come to colleges are from families which are not poor enough to get a scholarship and which are not rich enough to pay any additional fee. The majority is like that. And that fact has to be taken into consideration before any question of the increase of fees is considered. I do grant that Government stand in need of financial help with regard to expenditure on education. That fact cannot be forgotten. When Government in introducing compulsory primary education will be making education more and more efficient they have to get money and such money has to be found by a general cess or something like that instead of taxing the man who sends his boy to the college. The average man cannot afford to pay anything more by way of fee for the education of his boy.

Another fact which I wish to bring to the notice of Government is that, when admission is restricted, and I am surely at one with Mr. Statham, in that to first grade institutions like this only the best talent in the State can be given the opportunity. I do grant that treasure and waste material cannot be mixed up in the same basin, but some provision must be made for students who mean to get some standard of efficiency. Many students who have been bright in schools and who have been undergoing instruction in the denominational colleges especially have complained of the very many difficulties they have to experience. Taking into consideration that fact, I would earnestly urge upon the Government the necessity of opening a college at Mavelikara which was once under the consideration of Government. I leave that question to the consideration of Government.

Then with regard to the recommendation of the Law College, I do not agree with the authors of the report because we find that the academic efficiency as disclosed by the test of examinations has never been a test in the matter of success or otherwise in the legal profession. We have seen mediocrities flourishing very well in the profession and very efficient students being impoverished and failures in the profession. It is a peculiar profession and I must say that the test suggested for admission in the Colleges by Mr. Statham cannot be accepted.

Then I come to the Women's College. At the risk of being called a misogynist, I would agree with Mr. Statham in saying that only co-education facilities need be given to women who want instruction in the collegiate courses of study. They are undertaking college education to get appointments. They say that they are equal to anybody. to any male, that they are prepared to compete with us, that they are prepared to work along with us, and that they are prepared to undertake and execute the same kind of work executed by their brothers. When they

[Mr. K. Kunjukrishna Pillai.]

are not going to be protected soon after they pass the Degree Course, and they are going to compete with men in any branch of life after that, I do not see any reason why they should not get themselves educated in men's colleges. I think it would be an advantage in the competition of their future life. I agree with the Committee's suggestion that the Degree courses in the Women's College be abolished and additional facilities be given to them in the men's college.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the Intermediate Course may also be amalgamated with the Men's College?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am concerning myself only with the suggestion made by the Committee and I do not think it is necessary to make a suggestion with regard to the Intermediate classes in the Women's College. Personally speaking, the Intermediate classes also may be accommodated in the men's college. But I do not think that the opinion in our country is advanced enough to accept the suggestion. They are defective and we have to accept the limitations because we cannot absolutely ignore the prejudices of the country.

So I suggest that no provision should be given to Intermediate classes alone. I do not understand why the Committee has paid so much attention to the staff of the Women's College alone. The Committee has suggested drastic changes on account of the sending away of inefficient and poor teachers due to the closing of a number of institutions and not a tear has been shed on their account. The Committee has been over-anxious to secure appointments for women teachers who are now employed in the Women's College. They say—:

> "In this connection, we would advise Government that careful consideration should be given to the question of the retention of the present staff after the B. A. courses are given up."

Of course they have got permanent jobs and Government will make provision for them. If there is a provision to give them six months' notice, that must be done if their services are not necessary. Simply for the matter of providing for them or safe-guarding their positions in the Women's College, no such recommendation should be accepted by Government. I think that no such distinction is necessary. They also suggest that tutorial work may be done by the staff with advantage. I ask why in the residential colleges they do not want extra provisions like that. How will they give the training to the Law College girl students or to the girl students of the Science College who have not got opportunities for getting the system of tuition? I do not think Government will accept shoddy sentiment in this matter.

Then I want to say a few words with regard to the recruitment of the staff in colleges. I think the recruitment of the staff in the colleges is a matter that ought to be considered very well by the Government and the Director. We find that at present there are very inefficient hands who are absolutely unfit for giving instruction in colleges. Third Class Honours men should be sent away from the colleges. There are ever-so-many third class Honours men who merely on account of their

long service remain in the colleges without even once opening their mouths in the classes but spending their time in correcting compositions, while first class men with first class Honours are ignored merely on account of the fact that they were entertained only later in service. I think college education is a luxury in a way. It is a provision for the most efficient work and it can be obtained from the most efficient men for the benefit of the State. Colleges should be provided with the most efficient staff. The Director should see that instruction should be given to students in colleges only by people who are properly qualified. I would suggest that all people with third class qualifications should be sent away to look after some other work. There is a lot of complaint with regard to the promotions in various branches. Promotions are given as accidents occur. A man may become a Professor within three years because some people die or go out of the department. A general cadre must be introduced for the purpose of giving promotion in the collegiate staff. Otherwise it will work hardship.

I would suggest that, in view of the drastic retrenchment made in the pay of collegiate staff in British India, something similar must be done in regard to the pay and emoluments of Professors and Tutors in our colleges as well.

DEPUTY PRESIDENT : Your time is up.

MR. K. KUNJUKRISHNA PILLAI (*Quilon 1*) : Five minutes more and I am finished. A word about the composition of the Committee. The Director should give an assurance that not more than one-fourth of the vested interest, mainly the management and the teachers who are directly concerned with aided schools, will form part of the Committee. At least 60 per cent. must form the elected members of the Council and the Assembly and fifteen per cent. alone be retained for nomination from among the depressed classes.

Sir, Mr. Statham towards the close of his remarks made a protestation that he was only actuated with a sincere desire for the advancement of education in the State and that no other motive weighed with him in making these recommendations. I for my part accept his statement and I may assure him that when I made my remarks I also was moved by the same ideal namely the advancement of education in our State. I am very thankful to you, Sir, for your forbearance.

SRIMATI T. NARAYANI AMMA (*Nominated*) : Before I begin my observations on the Report of the Education Reforms Committee, I wish, Sir, to thank the Government of His Highness the Maha Raja for the privilege that has been extended to us, the members of this House, to discuss the Report. It is a rare privilege so far as this House is concerned and a healthy move so far as such reports are concerned. We feel grateful that unlike some other reports which are gathering dust in some of the archives of the Secretariat, the Education Reforms Committee's Report gets the benefit of a discussion by the non-official members of the legislature, the welcome impression thereby created being that early action on the report is being contemplated by the Government. This is certainly as it ought to be, and the policy adopted by the Government will, I am sure, be immensely appreciated.

[Srimati T. Narayani Amma.]

Coming to the Report, Sir, there can be no difference of opinion whatever that it is a very weighty and valuable document which redounds to the credit of the distinguished President of the Committee and his esteemed colleagues. The Committee has spared no pains in making an earnest study of the various aspects of the educational problem in Travancore and has made several important suggestions, which if carried out will give a new orientation to the educational ideals and educational arrangements in the State. The Committee has found several sore spots in the educational structure and has not hesitated to call a spade a spade. The fundamental aims of education has been well kept in view by the Committee in their general criticisms and in many of their recommendations—recommendations which in my opinion will go a long way in improving the educational system in Travancore and in increasing the efficiency of instruction imparted in our Schools. I believe that, whatever differences of opinion there may be with regard to details, the principles underlying such recommendations will generally be recognised as sound.

I am exceedingly sorry, however, to have to find out that the same thing cannot be said of some of the other recommendations made by the Committee. The recommendation, for instance, that His Highness the Maharaja's College for Women should confine itself in future to the Intermediate Arts and Science and that the degree classes should be closed is one which will be widely protested against. The amount of hesitation with which the Committee has approached the question shows that the Committee is not unaware of the opposition which the recommendation would give rise to.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the member is aware that the secretary of the women's conference disclaims that they have anything against the recommendations of the Committee on that point?

SRIMATI T. NARAYANI AMMA (*Nominated*): I have no information.

The Committee admits that it was only comparatively recently that the college achieved the status of a First Grade College. The Committee is fully aware also of the fact that the public of the State are both proud of the college and are keenly interested in its future. Yet the learned members of the Committee say that they are not satisfied that as at present organised the college deserves further encouragement. The non-residential nature of the college may be said to be a defect and the Committee has done well in recommending provision for residential accommodation though opinions may differ whether it should be made compulsory forthwith. But, why should the degree classes be closed? The reasons advanced are not convincing. The number of students in the B. A. classes may now be comparatively small. But is there any cause for being alarmed at the smallness of number? No college can grow without chances being given to it for expansion. There would have been more students in the B. A. classes

if the Mathematics section had not been closed and if the college had been affiliated in other branches also. I may in this connection point out that the Women's College has had the best results in the University Examinations. In the B. A. classes they have had cent, per cent. success with classes and distinction in all parts. Under such circumstances it is not a wise step to abolish the B. A. classes. The status, position and individuality of the college will be greatly affected by the adoption of the Committee's proposal. The high degree of education attained by the women of Travancore has received warm commendation from all quarters and there is no doubt whatever that one of the factors which contributed to its name and fame is the existence of a Women's College. And the conversion of the college into a first grade institution was hailed with satisfaction by every one interested in women's education and women's advancement. It is an undeniable fact that this forward move has given an additional impetus to women's education in Travancore. I for one am not against co-education. But, at the same time, I feel very strongly that a separate first grade collegiate institution for women is an imperative necessity in Travancore. There are certain sides of women's character which could properly develop only in a women's institution. The fact, therefore, that we have men's colleges here, where women also could study, is no argument in favour of the abolition of the degree classes in the only institution of its kind in the whole State. And may I, Sir, ask the Committee whether there are not other towns in India, where more than one women's college exist side by side with several men's colleges? And what about the separate women's colleges in Japan, England and other countries? Much more is the need of a first grade women's college in Travancore, where women's education has yet much headway to make. Above all, in the scheme of a Travancore or Kerala University, there is a definite place for a first grade women's college in Trivandrum, and we women cannot bring ourselves to think of its position being lowered.

I am also entirely opposed to the recommendations made by the Committee in regard to the employment of married women in the educational service. The Committee admits that taking all grades of work in the Educational department into consideration they feel that there are no great disadvantages, but in fact some advantages in recruiting or retaining married women as teachers in the departmental primary schools. But they proceed to say that for work in the secondary schools and in the administrative branch they do not consider it desirable to recruit or retain married women. How the Committee has arrived at such a conclusion is not quite clear from the report. The Committee says that there are "*obvious*" difficulties in the way of a married woman, particularly a married woman with a family, doing inspecting work or teaching work in the higher grade institutions. To us the difficulties are not so obvious as they are to the Committee. (*Laughter*) In fact, Sir, the difficulties are rather imaginary than real. If it is a question of efficiency, I ask whether married women in the administrative branch and in the higher grade institutions have

[Srimathi T. Narayani Amma.]

ever given room for complaint about their work? My information on the other hand is that their devotion to duty and efficiency in work have never been questioned. Why should the Committee then be frightened at the idea of marriage in the case of women? If the Committee thinks that a married woman's interests will be divided between her home and her work, and as such her work will suffer, I cannot help pointing out that the learned members of the Committee are entirely mistaken. A married woman will have even a better sense of responsibility than an unmarried woman and see that her home life does not intefere with her work.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will not her official work interfere with her household work?

SRIMATI T. NARAYANI AMMA (*Nominated*): That is a difficulty in the case of unmarried women and even men. (*Laughter.*) Causes for distraction are common to all. In such matters, what has to be considered is not the sex to which a person belongs, but whether the work suffers. And if it does, I have not the least objection in action being take against the offenders. Inefficiency ought to be visited with condign punishment whether the offenders be men or women, married or unmarried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it the member's idea that no special treatment need be given to women and that all cases alike must be judged according to standards of efficiency alone?

SRIMATI T. NARAYANI AMMA (*Nominated*): I wish I am not interrupted, Sir.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am sorry.

DEPUTY PRESIDENT: You may proceed, Mrs. Narayani Amma and, if possible, answer Mr. Parameswaran Pillai's question.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, Sir, I do not press.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I ask why, if the member did not want an answer to his question, he put it? (*Laughter.*)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I withdraw my question, Sir.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Can a question be withdrawn, Sir?

DEPUTY PRESIDENT: Certainly.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Once it is asked, does it not become the property of the House?

DEPUTY PRESIDENT: It depends on the volition of the person who puts the question to wait for answer or to withdraw his question.

SRIMATI T. NARAYANI AMMA (*Nominated*): It is not right to say that a woman will become inefficient as soon as she marries.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Does the Report say that married women are inefficient? So far as I remember, it does not.

SRIMATI T. NARAYANI AMMA (*Nominated*): What I wish to point out is that the idea that a woman will be come inefficient as soon as she becomes married is absolutely unwarranted. On the other hand, she is likely to have a more hopeful and a more happy outlook on life which will greatly help her in her work and make her work more efficient. Then again, Sir, when the Committee has not only no objection but finds also some advantage in recruiting or retaining married women as teachers in the primary schools, it is absolutely difficult to understand why the same principle cannot be extended to married women in the secondary schools and in the administrative branch. I am constrained to point out in this connection also that there is already a tendency among young ladies to remain unmarried. The Census Commissioner in the Report of 1931 says:—

> "The phenomenal progress women have made in education, the economic independence they are gaining and the political consciousness that has been awakened in them, have begun to act as a break on their desire to enter into matrimonial bondage. Several of them, especially the educated young women of the Nair and Christian communities, are now content to remain single, earning their livelihood by their own labours or devoting themselves to social work if they have other means to live upon. The change in the attitude of women towards marriage is so recent and the number of them who have come under its influence so far are comparatively so few that the effect of the change is not yet visible in the census figures of civil condition. But if the future progress is going to be as rapid as it has been in the immediate past, the next census is likely to record a distinct shrinkage in the number of marriages contracted".

The above extract from the Census Report must be read, marked and inwardly digested by those interested in the social and economic position of women. I feel that there is absolutely no exaggeration in the statement made by the Census Commissioner. The next census will in all probability record a distinct shrinkage in the number of marriages. And if the Statham Committee's recommendation is going to be accepted, will not the position be worse still? Whatever may be one's view, based on western ideals regarding such a state of affairs, the tendency referred to by the Census Commissioner is one, which, in my opinion, ought not to be encouraged. From this point of view also, therefore, the recommendation in question is ill-suited to conditions in Travancore and ought not be given effect to. Further, the problem of unemployment among educated women will be made more complicated by the adoption of such a proposal. As it is, the Department of Education is the only branch of administration where qualified women can get the largest number of appointments. The Committee's recommendation is, in effect, shutting the door against a large number of them and sending away a large number of others. I ask, Sir, in all earnestness, whether this is justifiable.

[Srimati T. Narayani Amma.]

Marriage and motherhood are the primary rights of women, and it is unjust for any one to deny those rights to those who wish to have them. The question may be asked whether the Committee prohibits marriages. In effect, Sir, that is what the Committee does. The modern woman's mentality is in favour of economic independence. If therefore there is a rule like the one recommended by the Committee, the modern woman would rather refuse her offers of marriage than her job. The tendency referred to by the Census Commissioner will thus be encouraged. Is this desirable, I ask? Is it right to discourage the cultured and educated women of the country from entering into the sacred bond of matrimony?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): What is the trend of the statement of the Census Commissioner in regard to population in Travancore?

DEPUTY PRESIDENT: Please let the member go on. Members may ask questions when she is about to finish.

SRIMATI T. NARAYANI AMMA (*Nominated*): After referring to the difficulties in the way of a married woman doing inspection work or doing teaching work in the higher grade institutions, the Committee proceeds to say that, apart from such difficulties, the Committee feels that the large unemployment amongst educated young men or young women should by itself necessitate the withdrawal from employment of a woman working in the Education Department, who desires to get married. The Committee thus wants to impose a ban on married women in service to assist the solution of the problem of unemployment. The fallacy underlying such a view is so transparent that I do not wish to expatiate on it.

Then again, Sir, the proposal to disband married women from service will mean a lot. It will mean that Government, without any fault on the part of their faithful servants, propose to throw a large number of them out of work, thus causing untold hardship on several families.

Viewed from every standpoint, therefore, the Committee's recommendation, relating to married women in the higher educational service, is illogical, unjust and improper. And I fully trust that it will not be sanctioned by the Government. There are a few other recommendations also which I wanted to speak about; but I do not propose to do so for want of time. I shall only just mention one more fact, namely, that the proposed amalgamation of the Women's Inspectorate with the men's Inspectorate, so far as primary schools are concerned, is one which is not free from evil.

I wish also to add that the Committee would have done a real piece of service to the cause of women's education if they had suggested a definite scheme for the encouragement of women's schools with courses of study specially suited to the needs and requirements of women, more or less on the lines of institutions affiliated to Professor Karve's Indian Women's University.

In conclusion, I beg to express my appreciation once again of the good work done by the Committee, many of whose recommendations are commendable, a few alone being such as should on no account be sanctioned by the Government.

MR. M. SIVATANU PILLAI (*Tovala*): Did Mr. Changanachery Paramesvaran Pillai catch the eye of the President first?

DEPUTY PRESIDENT: In fairness to me, I wish members do not put such a question to me. I hope I will be understood in the proper spirit. Who caught my eye first is a matter in which no member ought to question me. (*Hear, hear.*) Further, the Chair has got a certain amount of discretion in these matters. I hope no such point will be raised in future.

MR. S. J. NAIR (*Nedumangad*): May I take it that I caught your eye at least second, Sir? (*Laughter.*)

DEPUTY PRESIDENT: Mr. S. J. Nair is clearly out of order. Mr. Changanacherry Paramesvaran Pillai will speak now.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Sir, I wish to make a few observations with respect to some of the aspects of the Report of the Education Reforms Committee which is now under the consideration of this House. Let me, at the very outset, say that the Report is a very refreshing and lively document; and great industry and enthusiasm have been brought to bear upon the very difficult task entrusted to the Committee. And, I should congratulate the Committee, and especially Mr. Statham, upon the very excellent Report that he has made on the subject. Mr. Statham himself has conceded that some of the recommendations made by him are drastic and even revolutionary.

But it appears to me that the evils of the present system of education have grown so serious and become so dangerous that the application of even drastic and revolutionary remedies are justified. The House knows that for a very long time, nay for the past fifty years, I may say it has been over and over again stressed on the platform, in the Press and on the floor of this House, that the system of education that we are pursuing is purely literary in character, that it does not fit people to pursue any particular avocation in life after they have left the schools, that it creates and encourages unemployment in the country and that it disturbs the political and economic atmosphere in the country by creating discontented educated people. The Committee, I am glad to say, has placed its finger upon the most sore spot in the educational system in the country. The peculiar feature of this Report is that it endeavours to substitute in the place of a purely literary education, so far as the schools are concerned, an alternative course of technical education. The diversion is sought to be made at the end of the fourth form. At that stage the ordinary student is diverted from pursuing a purely profitless literary education, to a course of technical education in continuation classes in the same school or the technical school pure and simple. That, I consider, is the most important and the most salient feature of this Report. How far the recommendations

[Mr. Changanachery K. Paramesvaran Pillai.]

of the Committee in regard to technical education either in continuation classes or technical schools are practicable, is a different matter. But it has been recognised, I think, by this House that it is a long overdue reform. It may be objected that the establishment of these technical schools at the present stage will tend to create another kind of unemployment, namely, unemployment of technically educated people, (Mr. M. Sivatanu Pillai : *Hear, hear*) for, at present, there are not enough technical or industrial institutions in the country which can absorb all the students; it might be also that these technically trained students might not have sufficient initiative or capital to enable them to start industries independently even though some of them may be cottage industries which require no investment of capital. It is therefore necessary, as it has been rightly pointed out by Mr. Statham, that an economic and industrial survey might be forthwith undertaken by Government and facilities found for starting such industries as might give employment to them. I believe that, before the starting of these industrial schools, the Government will pay particular attention to this recommendation of the Committee and will immediately start a scheme of industrial and economic survey, explore the avenues of new industries either factory or cottage, and take every step necessary to start those industries, so that by the time the students are ripe for employment they might be absorbed. If that is not done, these technically trained hands will also clamour for school master's posts as has been the experience in the case of some students of technical institutions such as agricultured schools, and the Director of Agriculture will bear me out in this respect.

Now, Sir, with these preliminary remarks, I proceed to make a few observations in regard to some of the particular recommendations of the Committee. I should like first of all to draw the attention of the House to the recommendation that the Director of Public Instruction should also be the Secretary to Government in the Education Department. In support of this recommendation the Report refers to the delay in getting the proposals of the Director sanctioned by Government and proceeds:—

> "We regret to have to state that from the evidence before us it would appear that the Government have not always paid sufficient attention either to the laying down of a sound educational policy or to the supervision of the policy being pursued by the Education Department. In spite of Conferences held from time to time and in spite of the recommendations of various Committees, there are a number of important matters, connected with educational administration, upon which no final action has yet been taken; and it would appear that the Government found it difficult to arrive at decisions and take action on many matters which were long over-due for settlement".

Now, this is a very severe indictment of the administration of the State. Nevertheless, I am willing to admit that it is true. But it is true not only of the Education Department but of every other department in the State as well. If you make a searching enquiry into the working of any other department in the State, the same remarks would

be found applicable equally to it. I can speak with some authority at any rate in regard to the Judicial Department with which I was connected directly and indirectly for over thirty years.

DEPUTY PRESIDENT: I think, Mr. Paramesvaran Pillai, you will confine your remarks to the Education Department alone.

MR. CHANGANACHERRY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): I am not going to say anything more in regard to the other departments. I am only trying to support my position with reference to other departments. Therefore, if we carry the proposal of Mr. Statham to its logical consequences, we will have to make the Head of every department in the State the Secretary to Government in that department. The Chief Justice must be the Secretary to Government in the Judicial Department; the Revenue Commissioner must be the Secretary to Government in the Revenue Department, the Police Commissioner the Secretary to Government in the Police Department and so on. Now, this is neither practicable nor desirable. It is not proper that the officer who initiates the policy should also be the final deciding authority upon that. Therefore, I regret I cannot commend to Government the proposal made by Mr. Statham. I must, however, admit that he has diagnosed the disease very correctly, because the Report says.—

> "The present highly centralised system gives little or no opportunity to the Dewan and the Secretariat to undertake a detailed examination of the educational matters which the framing of sound policy and the adequate control of expenditure require".

It is this highly centralised system of Government that is at the root of this evil. I grant that. But what is the remedy for this centralised system? It is not to make the Departmental Heads Secretaries to Government, but to give relief to the Head of the Administration by creating a Council of Ministers. The Education Department will then be administered by a Minister who can devote his full attention to the department. This will also have the effect of saving the official members from the delicate situations in which official members are sometimes placed in answering questions. A few minutes ago the Financial Secretary was driven to such an unenviable plight. In answering questions he was not courageous enough to say that he was answering on behalf of Government, but had to qualify it by saying that he was answering on behalf of Government in his department or something like that. However that may be, it appears to me that the remedy suggested by Mr. Statham is not at all a suitable remedy.

Coming to the particular department of Education, namely, Primary education, to which I wish to confine the remarks mainly, I wholeheartedly support the recommendation of the Committee that the Primary Schools might be converted into mixed schools. I agree also to the proposal that the staff of such schools might also be mixed and that the Primary School course might be extended from four to five years. It appears to me that, if the boys in the Primary Schools should really acquire a permanent and lasting literacy, a five-year course is absolutely

[Mr Changanachery K. Paramesvaran Pillai.]

necessary. In all the civilised countries of the world, they have increased the school-going age of children. In England, I think, it has been raised from 13 to 15. It is therefore a matter for congratulation that the Committee has bestowed its attention on this important matter and recommended the extension of the Primary course from four to five years.

But there is one aspect of the administration of these schools, which I should like to protest against most emphatically, and that is what has already been referred to by the lady speaker, namely, the placing of the school mistresses in these mixed Primary Schools under the control of the Inspector of Schools. Mr. Statham in his very illuminating speech referred to the objection to placing the Assistant Inspectresses of Schools under the Inspector of Schools. I am not so much afraid of the control of the Inspectors over the Assistant Inspectresses because the Assistant Inspectresses are officers of some standing, and I have no doubt they will be able to take care of themselves. But the same thing cannot be said of the unfortunate girl teachers in the mixed schools. That is a system which was tried and found wanting and therefore abandoned nearly 25 years ago. The Committee does not give any reason for resuscitating it. It might be said that conditions have changed, that education has spread in the country, that facilities for the expression of public opinion have increased, that the moral tone of the people has improved and so on. All these are true; but they have only reduced but not wholly eradicated the chances of abuse.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is the member talking of the pupils or of the teachers in the Primary Schools?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Of the teachers.

MR. PUTUPALLI S. KRISHNA PILLAI (*Quilon II*): Is the member referring to the girl teachers in the Primary Schools?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Yes.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Does the member realise that a good many of these girl teachers may be under the control of the Assistant Inspectresses of Schools?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Yes. But the Assistant Inspectresses of Schools are themselves under the control of the Inspector of Schools and therefore ultimately the control is vested in the Inspector of Schools.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Even if some of the girl teachers are under the immediate control of Assistant Inspectresses, does not the member think that a very large number of girl teachers will be under the control of the Inspectors of Schools?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Yes. The girl teachers in the Primary Schools will be under the direct control and supervision of the Inspector of Schools. Of course, some of the schools might be under the control or inspection of the Assistant Inspectresses of Schools. But the Assistant Inspectresses themselves are under the control of the Inspector of Schools. Sir, the Inspectors of old were also University men highly respected by the public and the authorities. Nevertheless, abuses crept in which led to a great agitation in the country with the result that an Inspectress of Schools was appointed to administer girls' schools. Therefore, unless a very good case is made out for reverting to the old system, I am not in favour of accepting the recommendation of the Committee in this respect. I would in this connection suggest a course, which, if adopted, might remove or, at any rate, minimise the evil.

Now that there is a large number of Primary Girls' Schools in the State, I would suggest that, while converting these into mixed schools, the character of these schools as girls' schools might be retained for administrative purposes so that they might continue to remain under the direct control of the Inspectress of Schools.

DEPUTY PRESIDENT: Do you suggest this to Mr. Statham?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): I suggest this to Government. Mr. Statham merely represents, in my mind, the Government.

MR. K. R. ELENKATH (*Kalkulam I*): Will not this increase the number of Assistant Inspectresses?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): It will also involve a corresponding reduction in the number of Assistant Inspectors.

Another suggestion that I would make is that, where there is overlapping of schools by the existence of a girls' school and a boys' school in the locality and one of them has to be abolished, the choice will fall upon the boys' school.

Another direction in which action might be taken is to prefer girls to boys as teachers; and when the majority of the staff of a school consists of girl teachers, that school must be treated as a girls' school and placed under the Inspectress of Schools If this policy is pursued, in course of time, all the Primary Schools will become girls' schools and primary education will be ultimately controlled by the Inspectress of Schools. From the report I gather that the policy of the Government also is to staff Primary Schools more and more with female teachers, for the reason that women will be able to handle young children better and more sympathetically than male teachers. I would recommend that that policy be strictly pursued.

The next point upon which I would like to make a few remarks is the proposal to transfer schools to private bodies. Mr. Statham has already told us that it is not the intention of Government to transfer forthwith or in the near future all the schools in the State to private bodies and to divest Government of all responsibilities in the matter,

[Mr. Changanachery K. Paramesvaran Pillai.]

In that case, I ask why should the Government be committed to such a policy at this moment? Primary education should always be the care of Government and not of private bodies. (*Hear, hear.*) The tendency in all civilised countries has been to bring primary education more and more under the direct charge of Government. Take, for instance, England. There primary education was at one time in the hands of private bodies especially the clergy. In course of time, Government thought, and rightly, that the responsibility for primary education should be assumed by Government. Therefore Parliament adopted a scheme of grant-in-aid to private institutions. By this means the Government have acquired practically the control of primary education. Having achieved this, Government created local bodies with power of taxation and directed these bodies to provide school accommodation for all children of school-going age in their jurisdiction. When any particular body had completed the provisions of school places sufficient for children of school-going age, that body was invested with the power to make education compulsory in that area. In that way primary education was made compulsory in England. Here the course recommended seems to be the very reverse of this. At present primary education is the sole charge of Government and the proposal is to gradually divest Government of this responsibility and to transfer it to local bodies so that in course of time primary education may become the care of local bodies. I cannot approve of this policy. I do not wish at the present moment to take up the time of the House by referring to the various difficulties in the way; but at the same time I may point out that the time has not come for transferring these schools to local or private bodies.

MR. K. C. ABRAHAM (*Kottayam II*): Does the member object to the transferring of education even to local statutory bodies?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): As far as I know these local statutory bodies, I am not at all enamoured of them and I am not in favour of transferring such a serious responsibility to them, or even to the municipalities, which in my opinion are not working satisfactorily.

MR. S. J. NAIR (*Nedumangad*): Does the member know that many of the departmental primary schools have been constructed by private people and handed over to Government for management?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Yes, I know many have been.

I do not at the same time despair of the possibilities of local bodies and taluk boards developing on right lines and becoming in course of time fit to be entrusted with such serious responsibilities. These bodies, like the municipalities, may be brought into being, in the first instance as an experimental measure and when they justify the confidence reposed in them by carrying out their duties satisfactorily and for the good of the country, then it may be considered whether some amount of responsibility in regard to primary education may not be transferred to them. But the time has not come. The care of primary education now must be with the Government.

I would next refer to compulsory education. I am glad that the Committee has recommended the making of primary education compulsory and I congratulate the Committee on that courageous step. But the Report says that, before the policy can be given effect to, various conditions must be satisfied. "Before we can think of compulsion as the proper remedy for inadequate school attendance, we must realise that the primary course has to be extented to five years, that incomplete schools have to be eradicated, or built up, that in some areas, more school places have to be provided, that the training schools must be reconstructed so as to send out larger number of better qualified teachers and that the evil of stagnation must be successfully tackled." This is a very large order and having regard to the fact the machinery of Government moves very slowly in Travancore, it will be the end of time before this programme is carried out. It appears to me that the time has come when a courageous step should be taken in the direction of making primary education compulsory. Now what is the condition of primary education in the State? From the Report I find that the number of children of school-going age, that is, between 6 and 11, is 7 lakhs and odd. The actual number of children who attend schools is 3 lakhs and odd or 43 83 per cent. of the school-going population. The remaining 60 per cent. are not attending any schools. And even of those who attend schools, it is only a very small number, I think it is 39 per cent., who go up to the IV class. If we take the completion of the IV class as the test of acquisition of permanent literacy by children, it comes to this, that only 17 per cent. attain such literacy. If on the other hand a five-year course is required to attain this, the percentage of the children of school-going age who attain permanent literacy is only 9. This is a very unsatisfactory state of affairs considering the large amount spent on primary education. Even this low percentage of literacy is not fairly evenly distributed among all communities. So far as the depressed classes are concerned, the percentage of literacy is inordinately low. The following table shows the percentage of male and female literates, of seven years and over, of selected castes, to the total male and female population of those classes:

	Males.	*Females*
Parayas	8·7	0·9
Pulayas	6·9	1·03
Kuravas	2·7	0·5
Pallans	4·3	0·1

The corresponding figures for Nairs are 61·8 and 29·1.

It is the duty of Government to see that the benefits of literacy are enjoyed by these depressed communities also. The only method of combating illiteracy among the lower classes is to send their children to school and to compel the parents to retain the children there till the completion of the fifth year course. This is admitted by the Committee also. In my opinion the time has come for the introduction of compulsion and the materials for it are available in the State now. From the Report I find that there are school places for six lakhs and odd boys; that is to say, there is already school accommodation for 90 per cent. of the children of school-going age. Again there are now 15

[Mr. Changanachery K. Paramesvaran Pillai.]

thousand teachers. Each teacher now handles only 37 children and therefore if every class can be filled with forty students then there are teachers who can handle about 44 thousand students more.

Thus we find, from the Report, that the existing staff of teachers could handle over 44,000 pupils more and the present accommodation in schools is sufficient to meet the needs of 90 per cent. of the total number of children of school-going age in the State. It is seen from the Report that this excess is unevenly distributed over the State and that there is overlapping and excess accommodation, more in some localities than in others. According to the Report, there is more overlapping in South Travancore than in North Travancore. I consider that as a favourable position for introducing compulsory education, as an experimental measure at least; places where there is excess of teachers and school places may be selected for the introduction of compulsion. Gradually, that can be extended to other parts of the State when the conditions for compulsory education have come into existence. A beginning in this direction has to be forthwith made and the scheme gradually extended so that it may be completed within a specified period of five or ten years. I would also suggest that this compulsory education may be tried not in areas where the advanced communities live but in areas where the majority of the population belong to the depressed classes.

MR. K. C. ABRAHAM (*Kottayam II*) : Does the member recommend such a proposition in a general way only in respect of all classes or only in respect of depressed classes?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : The discretion must vest with Government and it must be carried out to the extent funds permit. But compulsion must in the first instance be tried in the case of the depressed classes. In this connection I might congratulate the Committee on the recommendation for changing the time of instruction in schools. It appears to me that the ordinary school hours commencing from 10 and terminating at 4 is very inconvenient for all classes of students who live at a distance from school as they cannot get their mid-day meal. It is especially so for the depressed classes as they cannot afford to keep their children in school throughout the day. It will be advantageous therefore to all classes if the tuition can be confined to morning hours. In olden days attendance at village schools was insisted upon from sunrise to sun-set with a long interval for mid-day meals. I would suggest that tuition in the primary schools may be confined to the morning hours, say from 7 or 7-30 to 11 or 11-30. Four hours' teaching is sufficient to meet the adequate needs of children attending the primary classes. That will also solve the problem of mid-day meal.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will there be food ready in the early hours of the morning?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : You can get cold rice. In the old village school days, children used to take cold rice before going to school. The village *Asans* secured the early attendance of boys in a peculiar manner. The

first boy who came to the school was called *Elan* and it was his privilege to mark the attendance of other boys and he was exempted from being caned. The next boy got one cut, the third two cuts, the fourth three cuts and so on according to his attendance. This had the beneficial effect of inducing the boys for the *Elanship*. An early attendance of all the children was the result. But I do not recommend that such a procedure should be adopted in the Education Department at the present day.

I will now come to the vexed problem of religious instruction in schools. It has been conceded at any rate by one of the speakers that religious education in its broadest sense means moral teaching. The Committee also recommends only some kind of moral teaching especially the teaching of civics. I too grant that some kind of moral teaching and especially the study of civics is absolutely necessary and should be insisted upon. But what earthly connection there is between religious and moral teaching I cannot understand. If it is a matter of providing an effective sanction for morality, religion affords but a very weak and illusory sanction. In that case I should consider the sanction behind the Penal Code far more real and powerful and a teaching of the provisions of that Code, which includes both morality and civics, would be more beneficial. The religious sanction is further weakened by the theory of atonement according to which any wrong may be atoned for by performing some religious ceremony and by offering money to priests. What is aimed at in moral teaching is, I conceive, the inculcation of such principles as reverence, truth, honesty, courage, self-reliance, etc.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): How could that be achieved without religious teaching? What will the teacher say if the boys asked why they should be truthful or honest?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): That is what I am going to say. The qualities I have mentioned are useful to man in his actual life. They are only means to an end and not an end in itself. The best thing for a teacher would be to explain to the boys the utility or the purpose of these virtues and to illustrate it by means of stories. This may be called the parable method. When I was in England in 1914, I was invited to a meeting presided over by a famous public school master at which an educationist sought to illustrate how moral instruction may be given without the help of religion. The method adopted by him was to narrate small stories which illustrated the triumph of a particular moral quality or the evil caused by its non-observance. If courage is to be taught, he will recite the story or the achievements of man of exemplary courage. If self-reliance is the subject, an appropriate story is told by him. In that way he sought to impress upon the boys the usefulness of moral qualities and the necessity for cultivating them. This was approved by those present as a very good method.

MR. K. C. ABRAHAM (*Kottayam II*): Does the member believe that the teaching of the scientific side of ethics would make a better man?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): What exactly the member means by scientific ethical study, I do not understand. If the member explains that, I shall be glad to answer him. All that I wish to say is that moral instruction is possible without religious instruction and that the method I have suggested is far more effective than teaching morals through religion.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): Can the member tell me, whether books on moral teaching were taught formerly in vernacular schools?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) In fact, every literary work that we read contains some moral. It is not quite correct to say that the present system of education does not encourage moral teaching. It does to a very great extent, only indirectly perhaps, and I am convinced that the moral lessons we learn indirectly from the ordinary general literature taught in schools is quite ample for all practical purposes. In my opinion, to impose a religious sanction on morality is fraught with grave dangers in that when the superstitious beliefs on which religion is largely based are dispelled by education, morality suffers as the sanction behind it is weakened. In my opinion, the whole life of the school should be studied and organised to bring the best of moral forces to bear upon the child. Physical and mental health are to be cultivated in order to produce moral health, and in a very real sense every detail of the school's work is moral and has a moral object. But the greatest of all influences in the schools will be the personality of the teacher. It is he who will work upon the plastic heart and mind, kindle the fire of hero worship, inspire with noble idealism and guide the unfolding character with all its weakness and immaturity to a full development and the realisation of some, at least, of its splendid possibilities. Let us see to it that the men and the women to whom we entrust the greatest of all tasks are worthy of the trust.

Another topic I wish to refer to is art teaching. I am glad that the attention of the Committee has been drawn to this subject and gardening and school decoration have been provided for in schools. This is absolutely essential to develop the aesthetic sense of the boys without which cleanliness and hygiene cannot be enforced. So far as our boys are concerned, they have only a very imperfect sense of beauty. But the recommendations of the Committee for art teaching are in my opinion very inadequate. Art teaching cannot be divorced from the cultivation of the sense of beauty and the cultivation of this sense of beauty should be a part of the art teaching in schools. There are certain unchanging canons of criticism which every child should be acquainted with, simplicity in architecture, the suitability of buildings for their intended purpose from the stand-point of health, utility and the like, colour schemes based on the study of nature, and the study and appreciation of natural forms of beauty. These are all studies to which the child's attention should be directed and concerning which his intelligent sympathies should be cultivated. In this connection an appeal should be made for a higher standard of beauty to be observed in connection with

the building and fitting up of all schools. I would therefore impress on Government the need for devoting greater attention to developing a sense of beauty in children at the primary stage itself

There are a number of other recommendations of the committee, such as the raising of the standard of admission to colleges, the raising of fees, the amalgamation of the colleges, the abolition of the Girls' College, the compulsory residential system for girl students, etc. to which I would like to refer in detail but for want of time. I shall content myself by merely referring to them. I agree to the raising of the standard for admission to the University course for we cannot afford that luxury except for the best intellects. But I cannot support the recommendation for raising the fees. The average income of a Travancorean is only Rs. 3 or 4 per month and he cannot afford to meet the cost of a costly University course for his children. At the same time the cost of University education must be reduced. This can be effected by applying the knife to the abnormally high salaries of the Professors. The Principal of a First Grade College in this country who recently returned from England told me that the salary of a Primary School teacher in that country varies from £. 150 to £ 200 per year while that of a University Professor is about £ 600. But in Travancore a Primary School teacher gets about £. 12 while a Professor receives the princely salary of about £. 800. There is therefore ample room for retrenchment in this direction and if a drastic cut in salaries of Professors is enforced there will be no need for the raising of college fees. This matter has been over and over again pressed upon the attention of Government by this House, but the Government for reasons yet unknown have shown a singular disinclination to take action on those lines. I regret even the Committee has failed to make any recommendation for reducing salaries while it had no hesitation whatever for recommending the enhancement of fees.

So far as the amalgamation of the colleges is concerned, my opinion is that the colleges sould be amalgamated without segregating the Intermediate classes. It is possible to provide accommodation for the Intermediate classes also because the building used by the Girls' High School which is proposed to be vacated by the High School may be made available for the Intermediate classes instead of using it for the medical school which the Committee recommends might be located there. Then the same Principal can administer and control both colleges and there will be contact between the two classes of students.

In regard to the abolition of the Girls' College, my suggestion is that the University classes may be profitably abolished. I do not at all see why for the sake of 8 girls a separate college should be maintained.

There is one other proposal of the Committee which I should like to comment upon and that is the conversion of the Girls' College into a Residential College for all girls studying in the different educational institutions in Trivandrum and the compulsory residence of such students in the residential quarters. This is in theory an unexceptionable proposal. But I would draw the attention of Government to a fact that has been brought forcibly to my notice by some parents. It will work great hardship on parents of girls who live with their parents

[Mr. Changanachery K Paramesvaran Pillai.]

in Trivandrum. A parent may be able to support his daughter in his own house but he may not be able to do so if she has to reside in the Residential College as the cost would be prohibitive to him. This is a serious matter for the consideration of the Government and I hope anxious attention will be paid to it. I have done. I thank you, Sir, for the indulgence shown to me in the matter of time.

DEPUTY PRESIDENT: We shall now adjourn to meet again at 2 P. M.

The House adjourned for lunch at 1-20 P. M. and reassembled at 2 P. M.

DEPUTY PRESIDENT: Before we resume the discussion, I wish the official member, Mr. Kayalam Paramesvaran Pillai, will make a statement regarding the proposal to extend the time for the discussion on this subject.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, in regard to the further debate on this motion, I do not think it is possible for Government to give another day, I mean to extend the time allotted for this subject. I would suggest that this debate may stop to-day and since there are three more official days, we do other official business on Saturday so that three days may be available for official business. We will on those days deal with supplementary demands and come to Bills. Today from 3 O' clock, Mr. Statham may be given an hour and Mr. C. V. Chandrasekharan half an hour to reply. Votes may then be taken on the demand. If the House is able to save time after the supplementary demands and Bills are discussed on the three official days, that time may be made available for the discussion of this Report. My suggestion is that this debate will stand adjourned to-day at 4·30 till other Government business is over and you must call upon Mr. Statham to reply.

MR. K. R. ELENKATH (*Kalkulam I*): So, I shall begin. Sir, while congratulating....................

DEPUTY PRESIDENT: Mr. Elenkath, there was a proposal to extend the time and Mr. Kayalam Paramesvaran Pillai was suggesting a method to get more time. Have you got anything to say with reference to that?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): If the Law Member is serious in his statement—

DEPUTY PRESIDENT: I take objection to that statement, because what the Government member says is always serious enough.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): What I want to state is that the time allotted for discussion on this subject is rather very limited when we consider the importance of the subject which we are called upon to discuss. Yesterday before we assembled in this House, we thought that there would be a time limit for every member to speak. The maximum time limit for debates like this was

understood to be between 15 and 20 minutes. The ruling given by the Chair was certainly welcomed in the hope that every member in the House who wanted to state something on this subject can have it. And when we were listening to the speeches that were delivered here yesterday we were under the impression that we would not be handicapped by a declaration that the two days' time allotted will not be extended. We hoped that Government would grant us one day more and if we are going to be disappointed in this matter, I would suggest that when we are given full two days' time for discussing this subject, the Government member may be permitted to reply during the time which the Government members of this House are able to secure during the three official days that we may have hereafter.

Another thing also. The motion that was presented to the House was couched in very brief language, but we found Mr. Statham, in addition to all that he has stated in his Report, has reiterated every one of the recommendations and took a pretty good lot of our time. We are given two days' time but Mr. Statham has appropriated to himself half a day's time (*Hear, hear*).

DEPUTY PRESIDENT: Mr. Krishna Pillai is out of order. Mr. Statham did not appropriate any time, but time was given to him by the Chair.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): It is exactly that. Out of reverence to the Chair, I did not put it so bluntly.

DEPUTY PRESIDENT: Please come to the point.

MR. PUTHUPALLI S. KRISHNA PILLLAI (*Quilon II*): The only point I have to urge is that we must be given full two days' time. So far as I have been able to gather from the speech of Mr. Statham, except in regard to the religious aspect of the question and the appropriation of the Devaswom funds, there was no new idea given expression to by him. For that purpose he took half a day. We can therefore legitimately take another half a day. We therefore request you to move Government and so arrange the business of the House that we can get at least two days.

MR. S. J. NAIR (*Nedumangad*): I request an explanation. By 3 O' clock to-day Mr. Statham will reply. Is that the idea?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Not to-day.

MR. S. J. NAIR (*Nedumangad*): Well, I shall be as brief as possible. The Report..................

DEPUTY PRESIDENT: What are you talking on? You have entirely misunderstood the situation, I fear.

MR. S. J. NAIR (*Nedumangad*): Shall I begin, Sir?

DEPUTY PRESIDENT: No, you will have time to discuss the motion later on. Mr. Kayalam Parameswaran Pillai has not finished. He is making a proposal on behalf of Government. It would appear that you want to speak on the substantive motion before the House. You will have to wait for that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I would make myself perfectly clear with regard to my proposal by saying that the two days allotted for the discussion on the subject is not for the non-official members alone but for the official members also. We shall discuss official business on Saturday and if there is any more time on that day the non-official side may speak on this subject. If there is a general agreement on that point, Mr. Statham may be called upon to reply. This debate may be adjourned and on Saturday we will begin another topic.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Are we expected to debate after Mr. Statham has replied.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The debate will be adjourned at 4-30 P. M.

DEPUTY PRESIDENT: Whether any non-official member can speak after Mr. Statham has replied is a point for the Chair and not for the official member to say. So whatever the official member may say on this question may have no force. There is no use of putting questions to him.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I put another question. Many were unaware that Mr. Statham had a reply at all. That is known only to-day. Is it proposed to take up the reply to-day?

DEPUTY PRESIDENT: Mr. Krishna Pillai is putting the hypothetical question because Mr. Kayalam Paramesvaran Pillai said that Mr. Statham is given a definite time to reply. To answer Mr. Krishna Pillai's question is a matter for the Chair so that there is no necessity, as I conceive it, to put that question to Mr. Kayalam Paramesvaran Pillai. The Chair is not bound to do according to the suggestion of the official member. What is intended is that the House may consider all aspects of the question so that official business may be conducted in the best manner. That is all that he suggested.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Then, Sir, why should it be stipulated whether there should be time or not for the official member to reply? It should have been left to the Chair.

DEPUTY PRESIDENT: He did not stipulate in the form of law. He made only a suggestion which is for the House to consider. It is also equally open to the Chair to decide that. Already we have lost so much time. Let us not protract this discussion. I want to say this much. Two days' ime was allotted originally not for the non-official members alone but for official and non-official members together. I took full responsibility for extending the time and I am glad that is justified by the attitude of the House in receiving the suggestion and the general tone of the discussion. At the same time I reserve to myself the right of cutting short a speech if I think that any member was proceeding in an irrelevant manner, repeating ideas, and so on. That power the Chair always has according to the Rules. I did not exercise that power rigidly because it was considered that the remarks made were so valuable and would

benefit the House in the discussion of this important matter. The fifteen minutes' rule, as I told you, is not an inflexible rule and that is the reason why I said yesterday that, while the Chair is prepared to exercise a proper discretion, the Chair would also look forward to the House for a proper discretion by the members on both sides of the House. As to the question of disappointment which has been mentioned by one on the non-official side, I assure the House that there is no room for disappointment. Mr. Kayalam Paramesvaran Pillai's proposal that, if the official business which has been set down in the Agenda was over and if any portion of the allotted days remain, this discussion may be taken up then, and it is a matter of agreement with the House. So if the House feels that they will be able to get through the other work, any reasonable time that remains may be utilised for the discussion of this question. That is all that Mr. Kayalam Paramesvaran Pillai suggested and I may assure Mr. Krishna Pillai on the non-official side that there is no reason for alarm when the suggestion has been thrown out by the Chair. The Chair can act quite independently. Because it has been suggested by Mr. Statham to Mr. Kayalam Paramesvaran Pillai that the former should be given an opportunity, Mr. Kayalam Parameswaran Pillai spoke. It is for the proper conduct of business that the suggestion was made and I trust that non-official members will consider these aspects of the question. So that the constructive proposal before the House is, if we are able to finish the official business set down for those days and if time remains, that time can be utilised.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): May I make one suggestion. Personally I accept Mr. Parameswaran Pillai's suggestion with this reservation that at least a short time may be guaranteed to us. That is, even at the risk of trenching on Government business we may be assured at least two hours of the third day for discussion in any case, whether we save time or not, and utilise it for discussion. But we may be assured that at least two hours on the last day would be guaranteed to us.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഈ സംഗതിയിൽ എനിക്ക് മറെറാരു സജ്ജഷൻ പറയുവാനുണ്ട്. ഇപ്പോഴും തന്നെ ഈ വിഷയത്തെക്കുറിച്ച് കാൽ മണിക്കൂർ സമയമായി. ഇവിടെ വാദപ്രതിവാദം നടക്കുകയാണ്. ൪-൪൦-വരെ എന്നുള്ള സമയത്തെ മാററി അഞ്ചുമണിവരെ എന്നാക്കിയാൽ അത്രയും സമയം കൂടി പ്രസ്തുതവിഷയത്തെക്കുറിച്ചു വാദപ്രതിവാദം നടത്തുവാൻ സൗകര്യം ലഭിക്കുന്നതാണ്.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a good suggestion.

DEPUTY PRESIDENT: Mr. Changanachery Parameswaran Pillai's proposal is this. In any case two hours may be guaranteed for the discussion of the subject along with the time already given. And if you are able to save more time, we shall have the benefit of that as well. That is the idea.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : With regard to the real implication of that proposal, there is no difference. I suggested 1 1/2 hours and Mr. Changanachery Paramesvaran Pillai wanted 2 hours. 1 1/2 hours may be taken by Mr. Statham.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : That is not what Mr. Changanachery Paramesvaran Pillai said. Non-official members should be given two hours. That is what he said.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Can the Law Member assure us 1 1/2 hours instead of 2 hours?

DEPUTY PRESIDENT : Any assurance given by the Law Member does not bind you. He wants only public business well conducted.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; When I said 1 1/2 hours, I meant that one hour be given to Mr. Statham and 1/2 hour to Mr. C. V. Chandrasekharan.

DEPUTY PRESIDENT : I am very grateful to Mr. Changanachery Paramesvaran Pillai for having reached this settlement.

It is not correct to say that Mr. Statham has appropriated the time of any of the members of the House. Possibly in the interest of public service and education he might have taken a little more time.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Will there be a time limit at least hereafter?

DEPUTY PRESIDENT : I think ten to fifteen minutes may be enough. If any member requires more, it is left to the discretion of the Chair.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Have we come to any agreement on this matter ?

DEPUTY PRESIDENT : Yes, I think so.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know that?

DEPUTY PRESIDENT : You were listening to that. All the members will have an opportunity of expressing their views.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : If a settlement is reached, I think we can begin the discussion.

As I was about to say I want to talk only upon one topic and I will not take more than five minutes. I thought Mr. P. K. Narayana Pillai would deal more fully with that subject when he was speaking about the Report yesterday. Even the Director of Public Instruction, when he gave us a very able and lucid summary of nearly all the recommendations contained in the Report, left out this point, probably because it did not appear to him as important as other points. I am in complete agreement with all other members of the House in congratulating Mr. Statham and his colleagues on the pains they have taken in collecting huge statistical materials and also in subjecting to an analysis the system of education that has been in vogue in the State for the last so many years, and also in pointing out defects and offering solutions which at least have got sincerity behind them.

It appears to me that very meagre attention has been paid to the prescription of text books in schools The Committee on page 206 of the Report assures that they were fully conversent with the existence of serious confusion with regard to the working of Text Book Committees. That is an assurance encouraging enough and I thought that with all the knowledge obtained by the Committee by such investigations it would be in a position to offer solutions which would be of practical use to the public. But, Sir, this assurance has not been justified by the Committee and it begins with the enunciation of a general principle, as it were, that a general system of prescription of text books for use in every school is a system which is already proved to be *undesirable and unsatisfactory*. These are the two qualifications used. The Report does not make any attempt what-so-ever to convince us as to how such a system is undesirable or unsatisfactory. The Committee wants us to take it for granted that the system of prescribing the same book in all schools is one that is altogether unsatisfactory and undesirable. Further down, the Committee says that if such a system is followed it will not enable the private managements, or, for that matter, the authorities in charge of individual schools, to carry on new experiments. That is the first argument advanced by the Committee in support of their proposal to abolish this system altogether. I wonder what the Committee means by private managements carrying on new experiments. It would appear that the manager of an English school in Paravur would be thinking of new experiments in the field of education which may be quite distinct from the experiments that may be tried by the management of a school at Nedunganda which is only four miles distant. Is it an experiment on the selection of books, such as the substitution of Professor Raja Raja Varma's grammar series by books written by somebody else? Even if it is so, I emphatically protest against such choice being left to private managements.

MR. C. V. KUNJURAMAN (*Nominated*): മിസ്റ്റർ രാജരാജവർമ്മ എഴുതിയിട്ടുള്ള പുസ്തകത്തെക്കാൾ നല്ല പുസ്തകം എഴുതുന്ന അവസരത്തിൽ അതിനു പ്രാധാന്യം കൊടുക്കാൻ സൌകര്യം വേണ്ടേ?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): The choice of such books should not be given to private managements. If better books than those of Raja Raja Varma come into existence, there should be some provision under which such books may be prescribed by the most competent body on the subject. The freedom of choice should not rest with managements. There should be a controlling body over them.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Does not the member know that they can choose books only out of a selected list prescribed by the Committee?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): The development so far attained by Malayalam literature does not warrant such liberties to be allowed. I will illustrate what I have said. Malayalam literature is now in the course of bringing into currency new expressions in science, economics, sociology and all other modern branches of knowledge and we have not yet succeeded in that line to the extent to which

[Mr. E. V. Krishna Pillai].

it is needed. Under these circumstances, if the proposal suggested by Mr. C. V. Chandrasekharan is acted upon, will not difficulty arise when two books on Chemistry are approved by the Committee, the author of one book using a particular expression to mean carbon dioxide while the other author uses another expression to mean the same thing? We have no accepted and universal vocabulary on these subjects so that every author may use the same expressions. Suppose there is an expression in a publication from Neyyattinkara intended to mean "Railway carriage", I do not want a student at Parur to take it to mean "Deputy President" (*laughter*). That is the stage at which we are now, at which Malayalam literature is now. I submit that in view of such danger I protest against this system of individual selection being allowed in the matter of text-books.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether it will not lead to corruption?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Yes, that is another objection.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : Does not the member know that the Committee has followed the system adopted in Madras?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : What I say is that that is the weakness of this Report. I do not think that Mr. Statham himself would have asked such a question. Madras is no concern of ours. I am referring to the plight of Malayalam literature and language which has been making steady and wonderful progress under the benign care and solicitude of the beloved Sovereigns of Travancore, a matter for pride not available to a Cochinite or a Malabarian. It is a matter of common knowledge that the wonderful progress made by Malayalam is due to the continued policy of encouragement of Vernacular literature by the Rulers of Travancore. (*Hear hear*). We are now at a stage when we should take particular care to see to the progress of Malayalam literature on modern lines which alone will satisfy modern requirements and for that we have to resort to new expressions, phrases and even new constructions. That is the point which I want to emphasise.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Does not the member think that such a condition prevails in Cochin and Malabar?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Fortunately I am a Travancorean and I am speaking only as a Travancore subject. If a Travancorean goes to Cochin or Malabar, he is very much respected for his proficiency in Malayalam, and listened to with rapt attention. Another point, Sir, is that the authors of the Report had the vast empire of Alexander in vision when they made these recommendations. Travancore is only a small state where the Malayalam-speaking area is smaller still. Why should the manager of a school at Neyyattinkara be allowed to adopt certain books as distinct from those that are adopted

by the manager of a school at Nedumangad a few miles off? After all what is the extent of the Malayalam-speaking area? Why should we introduce changes which are not only absolutely useless but even positively injurious to the all-round common growth of Vernacular literature? And then, according to one of the recommendations of the Committee, each taluk is given to an Assistant Inspector or Assistant Inspectress. Suppose, there are thirty schools in one taluk; and each manager chooses his own text-books from the list of approved text books. These poor subordinates of the department will be forced to study thirty different books on each subject for each class in order to do their inspection work satisfactorily.

MR. K. R. ELENKATH (*Kathulam I*): Will such difficulty arise if the Inspector or Inspectress does not know Malayalam?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): That will be far worse.

If we adopt this recommendation, we will be directly asking these Inspectors and Inspectresses to shirk work, and the result will be detrimental to the development of Malayalam literature. If there is this difficulty in the case of subordinate officers like the Assistant Inspectors, the difficulty will be almost insurmountable in the case of Division Inspectors, the Chief Inspectors, Assistant Chief Inspectress and the two Directors. They will, perhaps, have to study 400 or 500 books on each subject before they can justify their existence.

There is also another difficulty. I can assure the House that even a publisher of the best seller among Vernacular text-books is not able to sell more than four to five thousand copies of the book, and that, now, when only one book is prescribed as text-book in one class on one subject for the whole State; and it is a fact that none of these publishers makes any appreciable margin of profit. That being so, if the choice is left to each individual manager in regard to the selection of text-books, who will come forward to publish books? There will be no guarantee as to which book, from the approved list of text-books, is going to be chosen by a school. No publisher can know the quantity that he will be able to sell. It will, therefore, be very difficult to get any of these books published in future, if the Committee's recommendation is adopted.

MR. PACODE A. NARAYANA PILLAI (*Vilavancod*): May I know whether all books that are written will cease to have literary value merely because they are not chosen as text-books in schools?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Sir, money means everything as my friend and myself know. So, unless financial encouragement is assured, no publisher will come forward.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): What will happen on the transfer of one student from one school to another, if the text-books are not the same in all schools?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Yes, that is another difficulty. A pupil who had been learning "*Meghadootu*" in Parur

[MR. E. V. Krishna Pillai.]

may be asked to study "*Victoria Maha Rani*" when he goes to Neyyattinkara in the same year, on account of his guardian's transfer. (*Laughter.*) There is that danger also.

Sir, if the proposed change is going to serve any useful purpose, alright, I have no objection. On the other hand, as has already been pointed out, there are dangers clear and convincing. Sir, the Committee has stated in the Report that they have gone through the correspondence on the subject which convinced them about the existence of dissatisfaction in regard to the working of the Text-Book Committee. We all know that there have been loud complaints in the matter on the floor of Legislatures, on the platform and in the press, everywhere. Sir, there were some very shrewd Inspectors whose love of money was so much that they regularly issued circulars that from among approved books only certain books need be purchased. That was the state of affairs which was allowed to prevail. And now, if you are going to allow individual managers to choose their own text-books, I do not know what the position is going to be. I fear we will only be giving our officers greater chances to get corrupt. There is also that danger. The Director may say that, under effective control and supervision, these dangers can be eliminated. But, why should we give room for all that and then try to eliminate it. Under such circumstances, I submit the recommendation of the Committee in regard to the prescription of text-books should be discountenanced by the whole House.

DEPUTY PRESIDENT: Mr. Puthupalli Krishna Pillai.

MR. S. J. NAIR (*Nedumangad*): I submit, Sir, that I stood up even before Mr. E. V. Krishna Pillai.

DEPUTY PRESIDENT: Do not make any pleading, Mr. S. J. Nair. I shall see that all members get opportunity. Leave that to me.

MR. S. J. NAIR (*Nedumangad*): And, before we close, I have also to present a petition.

DEPUTY PRESIDENT: You will have time for all that.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, after listening to the various speeches of several of the honourable members of this House——

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): On a point of order, Sir. Can we refer to members as '*Honourable* members'?

DEPUTY PRESIDENT: As I said, strictly speaking, it is not proper.

MR. K. R. ELENKATH (*Kalkulam I*); Is it a ruling from the Chair that we should not do it?

DEPUTY PRESIDENT: The practice here is not to use the term '*Honourable*' when referring to members of this House.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): After having listened to the various speeches on this Report, it has struck me that the time has come when at least one of us should stand up and point out some of the very serious mistakes, constructive mistakes, contained in

the Report. I am at one with my friends who have conferred a lot of praise on Mr. Statham, especially, and on the other members of the Committee. I, for myself, very much appreciate the frankness and boldness with which some of the statements have been made in the Report. That does not mean that all that has been stated in the Report is acceptable to us. Mr. Statham has, in several places of his Report, observed that, in accepting the Report or in bringing into effect the various reforms recommended in it, the question of finance should not be considered. Sir, I plead guilty to the charge of being a little conservative in that respect. It has been an evil in this State to launch upon experiments without considering beforehand the financial commitments we would have to make. In regard to almost all our capital undertakings, it has been our misfortune to have been induced by the very attractive pictures of the immense benefits and profit we were going to get as a result of the undertakings, so cleverly drawn before us by the officers concerned, to embark upon such undertakings without realising fully the financial commitments we would have to make. This has always been the cause of our repeated loss on our huge undertakings. Sir, it is that aspect of the case that I have to bring pointedly to the attention of this House. No doubt, one of the members specifically referred to this point. I wish to draw the attention of Government to page 233 of the Report where it is stated—

> "Each of our proposals will have to be examined separately from the financial point of view before they are adopted by Government and any general summary of the full financial implications of our recommendations would necessarily be inaccurate and misleading."

Now, Sir, for my part, I too very much like the residential system of University education. And, during the days I was myself a student of the college, I knew that there was such a system prevalent in other parts of the world; and my parents and guardians also knew it and were quite prepared to finance me for the kind of education I wanted. But, I did not embark upon any such course of study for the mere reason that I could not afford that luxury and that, considering the expenditure involved, for a man of my means, the advantage to be derived was not adequate. Therefore, Sir, however beneficial it may be, whatever may be the sort of life the student can lead under the residential system, it is absolutely necessary that, before we go in for it, we must have a clear idea of the financial aspect of it. We are not now sure whether, if we accept the recommendation in the Report, we would not have to borrow a good lot of money or hypothecate or pledge the whole credit of the State in order to raise the money required. Should we not consider whether such a contingency will not arise? Should we not get an idea of the sources from which we can get the money required for the huge expenditure involved? Is it not necessary that, even in the initial stages we consider whether our finances will permit us to accept the recommendations of the Committee? Sir, Mr. Statham has taken the boldness to recommend that this State can accept all the recommendations contained in the Report, without at the same time assuring the State and the people what the financial implications will be. Are we to say "You have given us a nice Report. We are going

[Mr. Puthupalli S. Krishna Pillai.]

to get all that is best in the world of education. We are all satisfied. We accept everything that you suggest."? I do not think we can say like that. Perhaps Mr. Statham did not have the time to calculate, even roughly, the expenditure involved in many of his schemes. If he had given us even an approximate idea of the expenditure we may have to incur, we may say "The proposals are good; the financial commitments are not very severe. We therefore accept." On the other hand, what Mr. Statham suggests is that the Government must enquire into each and every one of his recommendations and examine the financial aspect in detail themselves. Such a position is certainly not acceptable to us. I am suggesting this from a practical point of view.

There is also another matter which suggests itself to me in this connection. When I was reading in the High School, I have read a small poem about the Pied Piper. The innocent inhabitants of a village wanted to rid themselves of a pest and they invited this piper to give them relief. Relief was given, but the cost could not be met. The result was disastrous. We are now under the stress and strain of unemployment. That has been our pest for the last 10 or 15 years. We have all along been getting only literary education; and we now want something more substantial which will help us to derive the benefits of our education as soon as we have finished our courses of study. That is why we bargained for a reform of our educational system. If, after having introduced diversion in the IV Form and in the V class, and the residential system in our colleges, and further technological studies, we open our eyes and find that these vocational bias schools and technological institutions are too costly, we would be absolutely helpless and might not be able to rectify matters. Sir, the Report has suggested radical changes. It should not be that we are all lured away by these recommendations. We should therefore consider whether it is possible for us to accept them. For that purpose the Government should either ask Mr. Statham himself to sit up and give us detailed estimates and ideas about the financial commitments or else appoint other experts for the purpose of giving us accurate figures on this matter. Without that we are not in a position to say whether the Government shall accept this, that, or all of his recommendations contained in the Report.

Another difficulty that I have found in this Report is this. Mr. Statham's Report, if fully accepted, would give us what is known as a Travancore University, referred to on pages 231 and 232 of that Report. I shall read only one sentence from his recommendations.

> "We are, however, of the opinion that the disadvantages of remaining within the Madras University outweigh the advantages and that the future programme of Government with regard to collegiate development should be so framed that it will ultimately become possible to establish a separate University for Travancore".

Sir, a separate University for Travancore, however acceptable to us it may be from a selfish point of view, would not be accepted on a consideration of all the surrounding circumstances. A Travancore University, like the Travancore currency, will not pass currency outside

Travancore. In Travancore it will always be looked upon with suspicion. That is what we now experience. We had a recommendation some time past that an All-Kerala University might be accepted; but no one, I am certain, will have the courage to say that Travancore, hemmed in as it is on the south and the west by the sea, on the east by the mountains and on the north by our sister State of Cochin, should conceive of a University on the lines suggested by Mr. Statham. In these days, Sir, when the question of federation is looming large, and is exciting sympathy in the minds of several of our aspiring young gentlemen and ladies, it is improper for a person, however expert he may be on that matter, to suggest that we shall be confined within the four walls of our State, that we shall hereafter produce Travancore B. A'. s Travancore M. D.'s, Travancore Ph. D.'s and Travancore M. L.'s. Sir, that is a contingency which I am unwilling to think of. Mr. Statham should not have thought that we are all people destined to spend our days inside the State of Travancore. We are persons who look forward just as Mr. Statham has done. From England he must have had a vision of India and from India he must have had a vision of Travancore. We are, Sir, in the same position looking to India and from there to England or other places in the world. We must be in a position to go to places where our qualities and our qualifications would be recognised. We should not be dubbed as a Travancore B. Sc. or M. Sc. It is not at all proper that at this time of the day he should have said that Travancore should have a University of her own. We should have closer associations and wider outlook so far as India at least is concerned and it is on that basis that the Report ought to have been framed.

A third point that I have to lay stress on is that this Report has a tendency to annihilate the national feeling and the national lines on which we are being developed. When I refer to this high sounding expression, Sir, I do not mean anything more than that this Report tolls the death—knell of the Vernacular language. Of course, my learned friend, Mr. Changanachery Paramesvaran Pillai, stated that all of us were having literary education, as if that was a very bad thing. I am not prepared to say that the education we were having was an education which has not done us any good. You will find, Sir, that our school-masters, the V. S. L. C.'s, and the higher-grade teachers whom we have in abundance in the country, are the promoters of co-operation, are the best critics, are always feared by Government officers who go astray and are always being feared by the public men who have come and adorned this very House. Sir, is that education bad, that they have been getting? I ask you, Sir, whether you can at any time or from any point of view call that bad education? The ideas that are being developed by them, the progress of newspaper literature, all these things, Sir, would tend to show that the education that we were getting was not after all a bad education. But, at the same time, I do not say that we do not want the vocational education that was being advocated during the last so many years. But that is no reason, for killing that language which gives us unity, which

[Mr. Puthupalli S. Krishna Pillai]

gives us a national feeling and which gives us an idea that we are Travancoreans and a Malayalam-speaking race. Hereafter, we would find, Sir, that there will be a lot of literates and men having manual dexterity, a large number of people who know nothing but English. I would therefore suggest, Sir, some drastic change in this Report whereby we will be enabled to give a push forward to the Vernacular language.

Another recommendation that is made here I submit, has been made without understanding properly the capacity of the Travancorean to be taxed. Mr. Statham has advocated an educational cess. We have always been complaining, during the last thirty years at any rate, vehemently that we are unable to pay taxes. But Mr. Statham says that Government must immediately take measures for the purpose of levying an education cess. Sir, that shows that Mr. Statham was not appraised of the financial difficulties that we are in.

MR. R. M. STATHAM (*Director of Public Instruction*) : May I ask the member whether he can quote any passage from the Report where it is said that Government must take immediately measures for imposing an education cess ?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I would refer the member to page 325, first paragraph, last line. It is stated there—

> "Government should immediately consider the desirability of levying a general education cess throughout the State".

I suppose I am right, Sir. I suppose I have read the Report even more thoroughly than the framer himself. There are various inconsistencies in the Report which I do not want to point out or criticise.

MR. R. M. STATHAM (*Director of Public Instruction*) : May I ask the member to read the whole of the sentence instead of reading only a portion ?

MR. PUTHUPALLI S KRISHNA PILLAI (*Quilon II*) : Sir, I am not here to read out sentences as he wishes. If what I have read conveys any idea to this House, that idea may be accepted. If Mr. Statham does not mean what I have understood from the Report, Sir, I am perpared to apologise to him. But we are persons only with a small knowledge of English. We had no residential education.

DEPUTY PRESIDENT : I want to ask you whether you mean the recommendations in the Report of the Education Reforms Committee when you say "Mr. Statham's recommendations" ?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) ; That is exactly what I mean. Everybody here associated Mr. Statham with this Report and I have erred in their company. The other members in the Committee have all sunk into insignificance and that is why the recommendations of the Committee have been referred to as Mr. Statham's recommendations.

MR. R. M. STATHAM (*Director of Public Instruction*): May I ask he member, Sir, to read out the whole sentence instead of only reading the last portion of it?

DEPUTY PRESIDENT: If Mr. Statham wants to explain, he may do so in his speech. Mr. Krishna Pillai is not bound to read the whole sentence. Mr. Krishna Pillai, you have taken a very long time.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I beg your pardon, Sir, but I may not take much more.

Besides the education cess, he has advocated the enhancement of fees, the hostel system and residential colleges. All these things put together, I might say, are unacceptable to the ordinary Travancorean, situated as he is at present, and if Mr. Statham's recommendation is to be accepted it will not sit light on the people.

Another very serious defect in his report, Sir, relates to the advocacy of the surrender of the State's right to carry on education in the State to local agencies. Sir, Mr. Statham or the Committee has been very cautious in making that recommendation. They have stated that ultimately the schools may be handed over to local bodies. But my submission is that, if the Committee are serious in that recommendation, I am quite certain that it is not a contingency that is going to happen during the next hundred years. Local bodies were brought into existence in Travancore and we have been trying to bring them into existence but they have not been functioning well. I am referring to the Municipalities. We had enacted for the establishment of Village Panchayats throughout the State. We had started two or three model Panchayats in two or three places. I am quite certain that those Panchayats are not properly functioning today. If that is the rate at which the local bodies are progressing, I do not understand what Mr. Statham means when he says that it shall be the policy of Government to surrender to the local bodies the management of the schools. I submit, Sir, that, taking the present circumstances into consideration, it is not a plea for surrender to the local bodies, but it is only a plea for surrender to the local management. (*Hear, hear*) If that is so, Sir, the pernicious tone in that recommendation is highly condemnable. (*Hear, hear*).

DEPUTY PRESIDENT: Your time is up, Mr. Krishna Pillai.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I have a minute or two more?

DEPUTY PRESIDENT: You may have some little time more.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Then with regard to religious education, several of my friends have been condemning the Committee's recommendations, I do not want to take the time of the House much more. Only one thing I want to refer to and that is Mr. Statham's desire for putting his finger into the Devaswom pie. Sir, it was several years before that Col. Munro once attacked our dieities. If the theory of Rider Haggard is correct, I can say that

[Mr. Puthupalli S. Krishna Pillai.]

Col. Munro is trying to visit us through Mr. Statham. If that is so, Sir, I would certainly enter my emphatic protest against that recommendation. It may have been unwittingly made. But at any rate, since the speech of Mr. Statham on this matter, I do not want to say anything more.

One matter on which I want to lay emphasis is with regard to the general control contained in Chapter II. In regard to the question of employment of married women, several persons have spoken here and I am at one with them. Marriage should not be penalised and Mr. Statham should not stand in the way of married women getting employment. It is rather remarkable that the Statham Committee Report does not say anything about the pay that is to be given to the Director of Public Instruction. Every other person's pay has been fixed, every other person's grade has been fixed, but the Director's pay alone does not appear to have been settled. If the Deputy Director whose pay is from Rs. 300 to Rs. 600 were to develop into a Director, it should not be anything more than Rs. 700.

DEPUTY PRESIDENT: Your time is up.

MR. K. PADMANABHAN (*Chirayinkil I*): As there has been a good deal of criticism on the various recommendations contained in the Report, I will confine my attention to a few points. Sir, first of all, I would like to draw the attention of the House to one of the most controversial subjects over which, when Mr. Statham made his statement, he has been very timid. I refer to the appropriation of Devaswom funds for educational purposes. The Devaswom Department, as I understand it, is essentially maintained for religious purposes; and Devaswom funds are to be utilised for religious ends. All religion, in my humble view, aims at acquiring knowledge or *gnanam*. If that is the object of religion, my humble submission is that the appropriation—

DEPUTY PRESIDENT: You are not at liberty to speak on this aspect of the question, because Devaswom fund is a subject which can be discussed in this House only under certain conditions. You can make only a passing reference.

MR. K. PADMANABHAN (*Chirayinkil I*): I should be permitted to make an explanation. As there is a reference in the Report to the Devaswom funds, I may be permitted to say one word about that.

DEPUTY PRESIDENT: It is true that there is a reference in the Report. You can merely refer to it and pass on to the next point.

MR. K. PADMANABHAN (*Chirayinkil II*): It seems that certain members expressed bitter resentment about the appropriation of Devaswom funds.

DEPUTY PRESIDENT: You can proceed subject to my ruling. Do not try to justify your attitude before the ruling.

MR. K. PADMANABHAN (*Chirayinkil I*): My point is this. The aim of all religions is the acquisition of knowledge. If that point is conceded, I submit there is nothing wrong in appropriating Devaswom funds which are essentially religious funds for the propagation of knowledge and for the spread of education.

MR. S. J. NAIR (*Nedumangad*): May I ask the member whether he means that the existence of Devaswom funds is for the mere acquisition of knowledge?

DEPUTY PRESIDENT: What he said is fresh in our minds. You proceed Mr. Padmanabhan.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether, because wealth is for human consumption, he will be prepared to allow other people to take money from him?

DEPUTY PRESIDENT: You need not answer that, Mr. Padmanabhan.

MR. K. PADMANABHAN (*Chirayinkil I*): It is commonly understood that Devaswom funds are to be utilised for religious purposes. A large portion of the expenditure is—

MR A. THANU PILLAI (*Trivandrum—Rural*): Can the Devaswom Department come under discussion here?

DEPUTY PRESIDENT: I have already given my ruling and I would request the member to obey the Chair and proceed to other aspects of the question.

MR. C. V. KUNJURAMAN (*Nominated*): ദേവസ്വംഫണ്ട് ദേവസ്വക്കാർ ഉപയോഗിക്കണമോ അതല്ല സർക്കാർ തന്നെ ഉപയോഗിക്കണമോ എന്താണ് മെമ്പറിന്റെ അഭിപ്രായം ?

MR. K. PADMANABHAN (*Chirayinkil I*): ആര് ഉപയോഗിച്ചാലും വിരോധമില്ല.

MR. C. V. KUNJURAMAN (*Nominated*): ഇന്നവിധത്തിൽ വേണമെന്ന് നിർബന്ധിക്കാമോ ?

MR. K. PADMANABHAN (*Chirayinkil I*): അത് ഗവൺമെന്റിന്റെ ഇഷ്ടംപോലെ ചെയ്യാവുന്നതാണ്.

MR. C. V. KUNJURAMAN (*Nominated*): ഇഷ്ടംപോലെ ഗവൺമെന്റിന് ചെയ്യാമോ ?

MR. K. PADMANABHAN (*Chirayinkil I*): Devaswoms were originally petty principalities within a big principality, namely the State. With the assumption of Devaswom management by the State, all Devaswom funds went into the general coffers of the State so much so, at present, as defined by Section 4 of the Devaswom Proclamation of 1097, in the annual budget, 40 per cent. of the Ayact and Sanchayam revenue is set apart as Devaswom funds. It is not the Hindus alone that are contributing to the revenues of the State. The Mahomedans as well as the Christians have got large areas of lands.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I rise to a point of order. Even after the ruling of the Chair, the member is persistently referring to Devaswom fund and making criticisms on that.

DEPUTY PRESIDENT : I was just waiting to see if he is going to disobey the ruling. He is just on the fringe of it. Please proceed to other points, Mr. Padmanabhan.

MR. K. PADMANABHAN (*Chirayinkil I*) : Yes, Sir; my point is that it is not the Hindus alone that are contributing to the revenues of the State. The Mahomedans and Christians have brought large acres of forest lands under cultivation.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Will the member give one instance?

MR. K. PADMANABHAN (*Chirayinkil I*) : Mahomedans and Christians have improved lands.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Have they improved other people's lands?

MR. K. PADMANABHAN (*Chirayinkil I*) : My point is that Mahomedans and Christians have acquired forest lands and improved them.

DEPUTY PRESIDENT : You are straying away. You will come to the matter under discussion.

MR. K. PADMANABHAN (*Chirayinkil I*) : Yes, Sir; I will be very brief about that. My humble submission is that the authors of the Report have made a most sound and useful suggestion in recommending the appropration of Devaswom funds for educational purposes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Is the member aware of the previous existence of Devaswom lands before the State acquired them?

MR. K. PADMANABHAN (*Chirayinkil I*) : A few acres existed.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Is the member aware of the extent of the area?

MR. K. PADMANABHAN (*Chirayinkil I*) : I am not in a position to furnish information on that point.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What is the authority on which the member is making his statement?

MR. K. PADMANABHAN (*Chirayinkil I*) : What authority?

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : The member has been narrating a history, the existence of which I wish to ascertain.

MR. K. PADMANABHAN (*Chirayinkil I*): I would refer my friend to Section 4 of the Proclamation of 1097 which says that, in the annual budget, 40 per cent. of the Ayacat land revenue should be set apart for Devaswom fund.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I ask whether the member has taken care to understand what the 40 per cent. is for?

MR. K. PADMANABHAN (*Chirayinkil I*) : I have taken care.

DEPUTY PRESIDENT : Please proceed to other points.

MR. K. PADMANABHAN (*Chirayinkil I*) : I shall be very brief on this point.

DEPUTY PRESIDENT : You cannot speak further on this point. Please proceed to other points.

MR. K. PADMANABHAN (*Chirayinkil I*): Another equally vexed point in the Report is the portion relating to the entertainment of married women in the higher ranks of the Educational service. A good deal has been said about that. What I wish to say is that, if this part of the recommendation is accepted, it will ultimately result in a flooding of the female branch of the Education Department with European and Anglo-Indian ladies. I would just request the House to bestow its earnest attention before accepting that part of the recommendation. I will pass on to the question of private management.

It is gratifying to note that the Report is alive to the invaluable services rendered to the cause of education by private agencies in the State. The misappropriation of Government grant is a matter which requires stringent action. It is also the duty of the department to safeguard the interests of the teachers employed in the private schools.

MR. K. R. ELENKATH (*Kalkulam I*): Will the member suggest any way by which this misappropriation can be detected?

MR. K. PADMANABHAN (*Chirayinkil I*): Careful supervision and inspection will be the only possible method. The private schools of the State are a kind of self-governing institutions which are more or less autonomous in their character and which desire to continue to be so.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): Is the member the manager of any institution?

MR. K. PADMANABHAN (*Chirayinkil I*): I may be.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): I wish to know whether he is the manager of any institution.

MR. K. PADMANABHAN (*Chirayinkil I*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know how he reconciles his two statements. He wants better supervision from the department and he wants the private institutions to be self-governing.

DEPUTY PRESIDENT: If a member is asked how he is reconciling his arguments, it will lead to complications. Let the member have his say. The other members also can have their say.

MR. K. PADMANABHAN (*Chirayinkil I*): Even at present the department has got certain control in regard to the appointment of teachers and relief of teachers and various other matters confronting the administration. These institutions naturally desire to be autonomous. Instances are not rare in which some of the officers of the department have unnecessarily interfered in the administrative matters of these private schools. All undue interference in the internal administration of these private institutions is bitterly resented by the managers of private schools. My humble submission in regard to this point is that any undue interference in the administrative matters of these private institutions will ultimately result in a set-back to the cause of education.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was the undue interference against the provisions of the Education Code?

MR. K. PADMANABHAN (*Chirayinkil I*): So far as the relations between the department and the private institutions are concerned, the Education Code is not exhaustive. Sometimes this interference may transgress the Education Code.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Can the member give an instance in which there was transgression of the Education Code.

MR. K. PADMANABHAN (*Chirayinkil I*): In the light of the discussion that has been going on, I do not want to give instances.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) Does the member know that the managers have been quite callous to the interests of the staff?

MR. K. PADMANABHAN (*Chirayinkil I*): There might be instances like that. I can cite innumerable instances in which teachers in private schools have gone out of their way and thus become involved in troubles.

Another aspect which I would like to emphasise in this connection, is the conditions imposed in regard to the grant of recognition in these institutions. Page 59 of the report says:

> "No school should receive recognition unless it is managed by a registered body, or a private individual who can demonstrate his ability adequately to finance the school. It should be a condition of recognition that the management whether a registered body or a private individual, should prove expressly its ability to meet a portion of the annual deficit, if such deficit occurs. In all cases of doubt the assignment of a capital sum of money for the use of the schools should be insisted upon."

DEPUTY PRESIDENT: Mr. Padmanabhan, one of the rules of debate is that long quotations may not be read. That is a rule which applies to all discussions.

MR. K. PADMANABHAN (*Chirayinkil I*): It is only a short paragraph, so I read it. In these days of acute economic depression, it may not be possible for one to demonstrate his ability to finance a school adequately or even to prove expressly that he will be able to meet any anticipated deficit to the satisfaction of the individual inspecting officers. The provision regarding—

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Has the member made any representation to Government to exempt schools from the conditions laid down in the Code?

MR K. PADMANABHAN (*Chirayinkil I*): There is no necessity for any one to make that recommendation. That is a hard and uncomfortable suggestion. It will not be possible for private schools to allot a capital sum for that purpose. If these recommendations are accepted, the only institutions in the State, so far as my knowledge goes, which could conform to these requirements will be a few missionary institutions. I conclude my speech with the request that the Government will bear in mind the observations made above when considering the recommendation of the Reforms Committee.

(Messrs. M. Sivatanu Pillai, A. Thanu Pillai, Antony George and several others stood up to speak.)

DEPUTY PRESIDENT: The obiect is to make the discussion as profitable as it could be. But no gentleman, or lady for that matter, can insist on when he should be called on to speak. Unless there is some kind of mutual confidence that things will be attended to in the proper way, it would be impossible to do any business in this House. So I request members not to repeatedly call my attention to their readiness to speak in this manner. They need not press their claims upon the Chair which is bound to recognise their rights without any admonition.

MR. A. THANU PILLAI (*Trivandrum-Rural*): As things now stand we can only have short of one hour and 30 minutes for this discussion. I understand there are many members more who wish to speak and I shall be one of them. I cannot hope to succeed in a race to catch the eye of the Chair and I do not want either. But even after this representation, if members are allowed to speak for 20 minutes and more there is absolutely no chance for me to take part in the discussion. There are many reasonable things that we wish to point out to the House. So I request the Chair to fix a reasonable time-limit for members' speeches, considering the limited time at our disposal. I also request that the Chair will kindly see that some more time is allotted specifically for this purpose and that no member is allowed to exceed his time-limit.

DEPUTY PRESIDENT: I am sorry I cannot have any such hard and fast rule. Mr. Thanu Pillai's suggestion will be carefully considered.

(Mr. Antony George stood up)

MR. S. J. NAIR (*Nedumangad*): We are bound to obey the Chair. But—

DEPUTY PRESIDENT: Mr. S. J. Nair is not in possession of the House. Mr. Antony George will speak now.

MR. ANTONY GEORGE (*Nominated*): One is very glad to find that there is a general consensus of opinion that the Education Committee's Report is very well written and that it contains very many valuable recommendations. But what the public generally fear about is with regard to the huge cost that might be involved if all these recommendations are given effect to in full. The changes recommended are themselves so very drastic that one is tempted to ask the question whether the existing system of education is so very bad as all that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I request the Chair to ask the member to come to the front and deliver his lecture? We on this side of the House could not hear him.

MR. ANTONY GEORGE (*Nominated*): The existing system has its defects to be sure. But nevertheless it just managed to keep education on the right lines. Had it not been so, how is it possible for Travancore to be so educationally advanced? There are no other States in India, except Cochin, which could boast of an all-round literacy amongst its population than Travancore. Illiteracy is confined here to the lowest strata of the depressed classes. And even amongest them, education is making sure headway and in course of time, not very far distant, illiteracy would be completely obliterated out of Travancore.

[Mr. Antony George.]

Then think of the great progress education has made amongst the female population of Travancore. We are ever putting forward this claim of our women, this claim to high attainments in education and general culture of our women, as a distinct feature of our society and as a sort of asset of our country and people. All these high achievements could not have been the result of no system or policy or guidance of and control over that system or policy.

But unfortunately the Committee has not got one word in favour of the existing system. Everything about it is shown to be all wrong. Its policy is shown to be something like a drift wood in a sea of incompetency. On the other hand it is undeniable that many of the recommendations of the Committee are of far-reaching importance. But none the less it remains to be seen how far these recommendations are going to be such a vast improvement over the existing system. The key-note of the recommendations is efficiency. But I fear that efficiency has to be purchased at a very great price. The Education Department is to be put up on a pedestal of its own. It is to become a sort of independent entity. As one reads the Report, one gathers the impression that what the Committee aims at is to set up a department practically independent of all outside control whatever. It is for this purpose that the Committee recommends that the interference of the Secretariat with the department should stop forthwith and altogether. It is for this purpose too that the Committee recommends that there should be a Secretary for Education and that Secretary should be none else than the Director of Public Instruction himself.

Now whatever advantage there might be with regard to speedy disposal of matters and other things by the Director becoming the Secretary, that advantage, I fear, might involve the sacrifice of a very wholesome principle now found governing the department. Now every policy or scheme that comes from the department has to go up to the Dewan and he, by agencies and methods quite unconnected with the Educational Department, investigates and enquires into this policy or scheme and comes to independent conclusions and judgment over it. But when once the Director becomes the Secretary, this independent method of enquiry and investigation and independent judgment and conclusion would cease to exist. The Director-Secretary would be the master of the policy as he would be in absolute control over the department. Such a state of thing would not be an unmixed blessing. It would in the long run turn out more of a clog than anything else for the proper course of education and even for the proper working of the department. This sort of absolutism in any department is quite an undesirable thing in any Government. Besides it is not the fashion in many of the Provinces and States in British India. It is only in the Punjab and such like few Provinces this system is found to exist. So the adoption of this recommendation requires the most careful consideration on the part of the Government.

I am in full agreement with the Committee's recommendation with regard to the re-organisation of the head office of the department. But with the re-organisation and with the addition of new hands and staff and a Financial Assistant to the Director, I don't believe there would be any necessity for the appointment of a Deputy Director of Public Instruction. The reasons given for the appointment are not convincing. One of the chief reasons given is that the Deputy would act for the Director when he goes out on short leave of absence and that, when he goes out for good, the Deputy is to step into his shoes. So till then he is to become a sort of under-study of the Director and being that he will quickly develop into something like a shadow of the Director and the shadow might either swallow up and eclipse the Director or he will ever remain a shadow. In either case, it is quite a disagreeable arrangement. And the cost involved is not negligible. Perhaps the Government might have had their own misgivings in the matter. Perhaps the Government might have thought that the Deputy Director might not survive a debate on the floor of the House. (*Hear, hear*). Hence it is that he is made a settled fact. Whatever it might be, I might tell the Government that any system of education, even the system recommended by the Committee, might very well go on without a Deputy Director of Public Instruction.

MR. K. R. ELENKATH (*Kalkulam I*) : Does not the member know that the Deputy Director has already been appointed ?

MR. ANTONY GEORGE (*Nominated*) : I know that it is a settled fact. The recommendation of the Committee with regard to private agencies is of very great importance. It is very well suggested by the Committee that the aim of the Government should be to withdraw gradually more and more from the direct control and management of departmental schools and to allow private agencies to come in their stead ; and also that the Government should concentrate their efforts in establishing and maintaining a few schools in chosen centres which should serve as model institutions for the whole country, something like the public schools in England. If the Government would only accept this recommendation, it would be better for the cause of education generally and the Government would be enabled to relieve themselves of much of the burden of the cost of education now weighing upon them. And the people also would be benefited. For there would be no need then to impose upon them any burden in the shape of education cess or other modes of taxation.

The ommittee in making this recommendation has made a handsome recognition of the great and splendid services done by the Christian missionaries for the cause of education in Travancore. It was a well-merited recognition. It was a timely recognition, especially so as now-a-days people imbued with a sense of false nationalism and afflicted as it were with narrow prejudices are not found wanting in belittling and disparaging the educational activities of these Christian missionaries. It was a great pity that on the strength of a magazine

[Mr. Antony George.]

article and on the authority of a Mr. Cole or somebody an uncharitable attack was made on the floor of this House yesterday by no less a person than the distinguished leader of the Liberal party against the devoted and selfless services rendered by the Christian missionaries in the cause of education in Travancore.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I shall say a word of explanation. I simply pointed out that, if that is a well-established statement, then there is a possibility of an argument to be built upon that. If Mr. Antony George assures me that it is an absolutely unfounded statement, I do not build any argument upon that.

MR. ANTONY GEORGE (*Nominated*): But you seem to believe that statement.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I simply said, if it is a well-founded statement.

MR. ANTONY GEORGE (*Nominated*): It is not at all.

The Liberal leader fears about the proselytising activities of the Christian missionaries. It is a vain fear, an unfounded fear. An impartial view of the services of these Christian missionaries would convince any honest mind that these services have been and are inestimable and invaluable for the country and the people.

The Committee's recommendations with regard to education cess, enhancement of college fees and abolition of Women's College are not conceived in the right spirit and are unacceptable. One word with regard to the Committee itself. This is the only Committee ever appointed in Travancore which has not asked for more time to submit its report. That is an achievement in itself. The Committee has done its work in the shortest time and in the cheapest manner possible and withal it has brought to bear on its work a thoroughness and a grasp of the subject in all its aspects that the Report it has submitted is in many respects quite admirable.

MR. S. J. NAIR (*Nedumangad*): Now at least, I got an opportunity to speak. I thank the Chair for having given me the opportunity.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the member could thank the Chair for having given him an opportunity?

DEPUTY PRESIDENT: The member is out of order.

MR. S. J. NAIR (*Nedumangad*). I shall try to be as brief as possible. I shall try to avoid "rivalry, overlapping and waste" to use the favourite expressions of Mr. Statham, in the matter of discussion of the Education Committee's Report.

Mr. Statham is not a Travancorean and hence he knew very little about the education obtaining in the land, when he was appointed as the Chairman of the Committee. No doubt, Mr. Statham has a reputation as a British Indian educationist. But, when he came to Travancore, for the first time as the Chairman of the Committee, he knew very little about the condition of the people, the nature of the education that prevailed here and also the exact situation of the educational

progress in the State. The main fault of the unworkable nature and the undesirable findings in the Report rests with the co-members of the Committee.

The members who were on the Committee along with Mr. Statham were not at all "educationalists" in the literal sense of that expression. They were only employees employed in the educational institutions in the State. Big men and famous educationalists in the land, such as Professor K. V. Rangaswami Aiyangar, Mr. R. Easwara Pillai, Mr. P. K. Narayana Pillai, Mr. Changanachery K. Parameswaran Pillai, Mr. K. Narayana Kurukal and others were not included in the Committee, and consequently no check and control were exercised upon Mr. Statham in the preparation of the Report. To use a journalistic expression, the Report of the Committee appears just like a newspaper cutting. There are very excellent portions, as well as very bad portions in the Report Chapter VII in the Report, that deals with technical and professional education, is excellent. With regard to the points that have been discussed in the Chapter on "Control", they are most novel and retrograde. The Director of Public Instruction wants to be the Educational Secretary directly under the Dewan and he points out in the Report certain analogies in justification of this position. But it seems to me, Sir, that those analogies are far-fetched. The position of the Dewan in the State as the head of the administration is just like the position of the Governor or Lieut. Governor in British India. But in his Report, Mr. Statham says that, in Punjab, the Director of Public Instruction works directly under the Education Minister. But, there, Sir, the Education Minister is a non-official gentleman who is nominated by Government as Minister. He is not the head of the administration or the Government. In order to have a proper check and control, it is most inadvisable to make the Director of Public Instruction the Educational Secretary to the head of the administration of the land.

Then about the Financial Assistant. That too is not a proper suggestion. He wants the Financial Assistant to work directly under him in the Director's office. Sir, the allotment made under educational expenditure in the State is a very big amount, nearly 50 lakhs of rupees. To have Financial Assistant directly under the control of the Director is inadvisable. An Assistant Account Officer may be deputed to work in the Director's office. His promotion and control over him and everything else are to vest in the Account Officer and Government and not with the Director of Public Instruction. Otherwise much untoward events and undesirable results may take place in course of time with regard to the financial administration of the department.

In the Report, Sir, big changes and drastic alterations are recommended. Sir, many of the suggestions contained in the Report discourage not only primary education in the State, but also higher Vernacular education in the State, secondary education in the State, college education in the State, and not only that, even women's education in the State (*laughter*). To "evict" women from service is to discourage higher education amongst the women.

[Mr. S. J. Nair.]

It would appear from the Report that Mr. Statham wants not to remodel or reform the existing system of education, but altogether to kill it. He wants not to mend it, but to end it. This is due to the absence of knowledge of the conditions prevalent in the State and due to the fault of those two members who worked under him, since they were not in a position to direct him in the right manner, and suggest to him constructive proposals. Sir, anyhow I do not wish to take any more time since I have said at the very outset, that I would not make any sort of "rivalry". I shall give sufficient opportunity for other members also in this House to make their representations on the subject.

I shall not proceed further; but, before I close, Sir, I request permission of the President to present a petition to the Travancore Sri Mulam Assembly during the course of the discussion, under Section. –

DEPUTY PRESIDENT: I am sorry the permission asked for cannot be granted at this stage, because, under the Rules, I have to be satisfied that certain other conditions are fulfilled. Mr. S. J. Nair told me about this petition. He had only one copy and consequently he could not give it. Therefore the question of presenting a petition may be considered later on. Rule 67, which you will find in the Manual, is this.:-

"67. (1) After the member who moves has spoken, other members may speak to the motion in the order in which they are called by the President. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the President, to speak to the motion at any later stage of the debate".

Not that the President is anxious to have any arbitrary standard As I said yesterday, a sound discertion will be exercised. I thought it was necessary to read out the rule because I found some members were under the impression that, as soon as a person is on his legs, the Chair must call him. That would not be proper. Various other matters have to be considered before a member is called upon. Therefore I would request the members to believe that the best and legitimate and lawful discretion will be used. I now ask Mr. K. Mahomed to speak.

MR. S. J. NAIR (*Nedumangad*): Sir, I have not finished.

DEPUTY PRESIDENT: Your time is up.

MR. S. J. NAIR (*Nedumangad*): May I respectfully submit, Sir, ...

DEPUTY PRESIDENT: Mr. S. J. Nair, you should sit down. You can move the petition later.

MR. S. J. NAIR (*Nedumangad*): I obey the ruling of the Chair.

MR. K. MAHOMED (*Alwaye*): I congratulate the Committee for having submitted a very valuable Report. I deem it a very useful document, but the changes which the Committee wish to introduce are most of them radical. I do not wish to make a downright criticism. There are recommendations which are good and acceptable, there are recommendations which may be accepted but which cannot be brought into practice, and there are recommendations which are not suitable to the existing conditions of the State.

The closure of the Education Section of the Secretariat, the levying of an educational cess, the increase of fees in schools, the refusal of admission of pupils under the age of five in Primary Schools, the residential system in the Women's College, the refusal to appoint married women in the higher grades of educational service, and the extension of the training course to two years, are some of the recommendations which cannot be brought into practice. If these recommendations have to be put into practice, a very large amount of money has to be spent. If the Education Section of the Secretariat is closed to-day, some other Sections of the Secretariat such as the Excise, Police, P. W. D. and others may also be demanded to be closed and consequently the Secretariat may be come non-existent.

MR. K. R. ELENKATH (*Kalkulam I*): I should like to know whether the member is criticising the recommendations in the Report.

DEPUTY PRESIDENT: You may listen to what he says.

MR. K. MAHOMED (*Alwaye*): The shifting of the Intermediate Section from the Science College and the B. A. Classes from the Arts College is in my opinion unworkable. Separate laboratories and libraries will have to be provided for in both the Colleges. The Committee has recommended the opening of a College of Technology with industrial workshops for research and manufacture attached to it. This is highly desirable on its very face but it presupposes the establishment of a large number of feeder institutions throughout the State, which involves a lot of expenditure. Every school with a vocational bias must lead to a workshop or factory. A well-planned scheme of technical and professional education is absolutely necessary, in view of the growing unemployment and the decaying faith on the part of the public in higher literary education. But all these mean large funds. It remains to be seen from what sources additional funds will be forthcoming.

With regard to the Vernacular schools, the abolition of the Vernacular Middle Schools and High Schools and opening of training schools in their places cannot be accepted; for it may detrimentally affect the educational prospects of the lower and middle classes. Primary education does not qualify them for Government jobs and English education becomes too expensive for them. Every effort should be given to develop and encourage Vernacular literature in our State, because Vernacular is our mother tongue.

With regard to the medium of instruction, I have to say that for the sake of removing irregularity and introducing a sort of uniformity, Vernacular should be made the medium of instruction. If possible, Vernacular primary education should be made compulsory for the sake of the backward classes. The recommendation to overburden the staff of the Training College with additional work of inspection is not desirable. There are Assistant Inspectors, Divisional Inspectors and Divisional Assistant Inspectors to do that work.

[Mr. K. Mahomed.]

The hardships which the teachers of the management schools are subjected to are notorious. Most of them do not receive even the grant given by the Government to the managers of some of the schools in the State. Very often the teachers are made to contribute towards the expenses necessary for the equipment and maintenance of management schools. The teachers of the management schools should be given the wages for the work they do. There are managers in the State who appoint teachers at their will and caprice. Their power should be controlled by the Director by reserving to himself the powers of appointment and removal of the teachers in aided schools.

Coming to Muslim education, I have to protest against the proposal to subject the present Muslim Inspector of Schools under two controlling officers at the same time. He cannot serve two masters at the same time. If this item of reform is introduced, he may become the only officer in the State who is made to serve two masters, *viz.*, the two Divisional Inspectors. Muslim education may not prosper if the present Muslim Inspector is not invested with more and well-defined powers. It is highly necessary to give him administrative control over the Muslim schools of the State. He should be placed under the direct control of the Director or Deputy Director.

I may also point out the hard lot of the Koran teachers. At the time of the previous salary revision, their claims were overlooked and this Committee also made no recommendation to increase the grant given to them, *viz.*, Rs. 6 per mensem.

It is equally desirable to enforce the introduction of provident fund system for the benefit of the teachers of the management schools.

With these few remarks I resume my seat.

(At this stage a number of members stood up to speak.)

DEPUTY PRESIDENT Will all the other gentlemen please sit down? Mr. Sivatanu Pillai may speak.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I am afraid I am going to speak upon the subject from a point of view entirely different from what we have been listening to. I do not known how far I am correct in this statement. We have had a little before a Mahomedan point of view, a staunch Hindu point of view and a liberal point of view. But the point of view from which I am speaking is an entirely different one. It may be called the Tamil, the southern or the agriculturist's point of view. Looking at the Report from that point of view, I must say that the Report is entirely disappointing. I say with full sense of responsibility that the Report is entirely disappointing from the point of view which I have endevoured to define—the poor agriculturist's point of view. The ordinary agriculturist is not in the least concerned with a residential type of college education, a mixed system of education or any of these sorts. From their point of view I say that the Report is lacking

by way of any hope to them. It is true that in the last session of this Assembly, so many difficulties were confronting the Deputy Director of Public Instruction who was then in charge of the portfolio. To a number of difficulties pointed out there was a uniformity of answer that the Statham Report is going to solve all those difficulties. It was more or less going to be a great boon to us. Now the Statham Committee Report is before us and we do not find any solution that we were naturally expecting for the difficulties that we were experiencing for the last so many years and also for those that were expressed on the floor of this House during the last session of the Assembly. Yesterday during the course of the discussion of the Report by Mr. Statham, the Deputy Director was so very impatient when questions were asked to the Director. That shows that two stalvart educationists are required to bring the recommendations for acceptance· Mr. Statham himself admits that the recommendations contained in the Report are not at all revolutionary. In fact he was trying to show by his arguments that several of his recommendations which were suspected to be revolutionary were not, really speaking, revolutionary. What he meant was that the Report was not at all revolutionary but that it endeavoured to set the stamp of recognition on existing practices. The public were given to understand that the Report was highly revolutionary. But Mr. Statham says that they are not at all revolutionary but only things recognised and in existence in other parts of India. If I understand him correct and if the Report is not revolutionary, it is disappointing to the agriculturists The ryots and the ordinary people of the country were expecting some revolutionary reforms to be enunciated by the expert Committee But as a matter of fact when we come to realities we do not find any revolutionary reforms. And so the Report is disappointing.

The second thing is if I may call that Report a bias Report because it contains in my humble opinion only bias. Mr. Statham said that he was actuated with the best of motives and sincerity of feelings when he endeavoured to prepare this Report. I do grant it. I have absolutely no dispute what so/ever with his contention. I call this Report a bias Report for various reasons.

MR PACODE A. NARAYANA PILLAI (*Vilavankod*): Is it vocational?

MR. M. SIVATANU PILLAI (*Tovala*); I shall give certain instances why I call it a bias report. Unfortunately our attention is prominently drawn to vocational bias *i. e.* No. 1 bias No. 2 is against the entertainment of married women in educational service. Bias. No. 3 is the handing over of Government management of schools to private institutions. The fundamental duty of the Government is the retention of the control over schools. Number 4 is the bias towards allowing religious instruction in primary institutions under cover of moral teaching. That is another bias which is not in the least acceptable to the modern tendency of the people. Bias No. 5 is in favour of the appointment of medical men as Physical Instructors. I do not understand the fancy for medical men to such appointments. Perhaps the idea that weighed in the minds of the authors of the recommendation was that in the course of a trapezium or parallel bar,

[Mr. M. Sivatanu Pillai]

exercise, if students sustain any injury the medical man may come to the rescue. Lastly there is the bias against the financial effect of the whole scheme. We do not know what amount has to be spent on the reforms submitted by the Committee. It is for these reasons that I call this Report a bias Report.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Will it not be better if the Physical Instructor happens to be a Sanitary Director also?

MR. M. SIVATANU PILLAI (*Tovala*): That also is acceptable. But then there will be no end of it. A man with a knowledge of carpentry, gardening and other qualifications may be a better Physical Instructor. What we are concerned is not these qualifications. These are the reasons why I call the Report a bias Report and I think I am perfectly justified in calling it so.

Sir, the recommendation about the educational system in the State is defective especially with regard to primary education. I have absolutely no objection to extending the primary education to five years and to be staffed by women teachers. They are some of the features and I am in favour of them. If we consider that the primary education is defective it is the duty of the Government to pay more attention to their improvements. That is the fundamental duty of a civilized Government to perform towards the people. From the view of the suggestion with regard to the reform of the primary education, the Report is seriously disappointing. If what is recommended by the Committee is brought into effect, the result in the long run would be to hand over primary education to the hands of private agencies. I do not think Mr. Statham forgets the fact that in the course of his enquiry when he was at Nagercoil he invited me to give my evidence before the Committee and of course I was glad to give that. He asked me whether I, as a representative of the Municipality, will be able to take up the task of promoting education within municipal areas. I had already made answer that we municipal people are not fitted to take up the work of primary education of boys and girls in the State. My second suggestion was that if it was considered that the fundamental duty of the Government was the spreading of primary education, why should municipal people take up that work. I wonder why after receiving such an answer from me as a representative of the municipal Councils, Mr. Statham thought it fit to recommend that local bodies may gradually be given the responsibility of conducting primary education.

I wonder why, on what authority, they recommended that local bodies may be entrusted with primary education. I daresay, every member of this House who has studied the position of the local bodies in Travancore, the municipalities or the recently constituted Village Panchayats, will agree with me in my opinion that these local bodies will not at all be able to satisfy the needs of the people in the matter of primary education. I do not see how the Education Reforms Committee was persuaded to recommend that local bodies may be entrusted with this responsibility of running Primary Schools.

With regard to the small village schools having only the first one or two classes, I understand from the Report that, if such schools do not work as feeder schools to other schools with all the primary classes, they should be abolished forthwith. Sir, if the Committee had taken care to understand the real situation in these villages, they would certainly not have made this recommendation. In fact, even for these two classes in these schools, they do not now have sufficient number of pupils. The people are so reluctant in these parts to send their children to schools ; and in most places, they require even inducement to attract the children to school. It is because of sheer inability to run more than one or two classes that they have stopped with them. If as suggested by the Committee, even these classes are abolished, the little interest that the people in these parts have now begun to take in education, on account of these schools being near them, will cease to exist. We require many schools of this nature especially for the depressed class villages in South Travancore. I know there is overlapping of schools in some places, situated very close to one another and run by different denominations, in a spirit of unhealthy rivalry. I can understand the abolition of some of these schools where we are sure that there is excess provision and rivalry between the managements. But, if it is found that in particular localities it is possible to have only one school with not more than one or two classes, the schools should not be abolished merely because there is no complete school near by to which these smaller schools can serve as feeders. The Report is not only revolutionary in its recommendations in this respect, but it is positively reactionary. In fact, I do not consider that the Committee is revolutionary in any of its recommendations. Sir, may I point out that it is the primary duty of every civilised Government to provide facilities for elementary education for every one among the people ? Sir, that primary duty of the State is now sought to be shunted on to local bodies, none of which, in Travancore, as I have already submitted, seems to be in a position to undertake that responsibility.

Sir, in regard to the various recommendations contained in the Report, I would suggest a revision of many of them. I have absolutely no objection to that task being entrusted to one individual, provided we could get one with a deep sense of devotion to duty, character and selflessness, be he the Director of Public Instruction or any other expert in education. I should certainly like the task being entrusted to the proposed Advisory Board, provided the opinion of the Board will prevail even against that of the Director.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Sir, the Report has already been discussed from several points of view. I see very great force in the contention that the recommendations are not likely to prove useful at all unless necessary funds are made available. The Report is defective in regard to the discussion of the financial aspect of the various recommendations. I see many things in the Report which need not alarm us at all from the financial point of view. I am at one with Mr. P. K. Narayana Pillai in thinking that additional taxation for the purpose of education cannot be lightly resorted to. It will certainly not be well received, especially for some time to come.

[Mr. A. Thanu Pillai]

Then, in regard to the suggestion that several of the institutions now run by Government may be handed over to aided agencies, that suggestion also does not seem to be capable of being put into effect under existing conditions. I wish to say a word also in regard to this suggestion of the Committee. Sir, I would like the department to be honest in this matter. The suggestion is worthy of consideration only in regard to primary education, since we have not got many middle or high schools ; and colleges are very few. So far as the primary schools are concerned, as a matter of fact, it is the Government that are now maintaining two sets of these institutions. Because, there are now two sets of teachers, one in departmental schools getting Rs. 15 or 18 and another in private schools getting a portion or, at the most, the whole of the Government grant of Rs. 8½. That is the position. Although, technically, the private schools are not treated as Government schools, as a matter of fact, they are being maintained by Government, since, in most cases, the aided agencies do not, as a matter of fact, make any contribution towards their upkeep. The Report itself admits this fact. Why try to ignore that or forget that ? I suggest in all earnestness "Why not be honest?" We know for a fact that these aided agencies have not been contributing towards the upkeep of their schools. In fact, most of these schools are being run on profit. Why should we allow such a state of affairs to continue when we know it fully well ? It has been our argument always that the teachers in the departmental elementary schools cannot do their work properly if they are not paid at least Rs. 15 a month and if they are not fed and clothed properly. We all know the agitation in the Legislative Council to get the pay of these teachers enhanced. In those circumstances, how can we expect the teachers in aided schools, who do not get even the full Government grant of Rs. 8½, to do their work properly ? In the circumstances, what I would suggest is—not that the suggestion should be immediately given effect to or is capable of it—that, at least for the future, the policy of the department, in the matter of primary education should not be to hand over primary education to aided agencies, but to take up more and more of the present aided schools also under Government management and pay the aided school teachers just what you are now paying them by way of grant.

MR. K. C. ABRAHAM (*Kottayam II*) : Is it the member's suggestion that the Government must get assigned in their favour the aided schools in the State ?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : That is what I would wish.

MR. K. C. ABRAHAM (*Kottayam II*) : May I know what the member thinks of the financial aspect of the proposal ?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I do not insist that all the existing schools should be taken over by Government all at once.

That may not be practicable, I know we have to continue for some time to come, under the existing unsatisfactory state of affairs.

MR. K. C. ABRAHAM (*Kottayam II*): Does the member think that the quality of teaching depends on the pay of the teacher?

MR. A. THANU PILLAI (*Trivandrum-Rural*): The quantity of teaching to a large extent, depends on pay.

MR. K. C. ABRAHAM (*Kottayam II*): Quality?

MR. A. THANU PILLAI (*Trivandrum-Rural*): Quality, quantity, all things depend on the pay.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): What about efficiency?

MR. A. THANU PILLAI (*Trivandrum—Rural*): It has always been argued in the Council, on behalf of the Vernacular school teachers, that ill-paid, half-starved teachers can never make an impression on the pupils and are sure to be inefficient.

MR. N. E. VARUGHESE (*Tiruvalla I*): എയിഡഡ് സ്കൂളുകളിലെ അഭ്യസനം ഡിപ്പാർട്ടുമെൻറൽ സ്കൂളുകളിലെ അഭ്യസനത്തെക്കാൾ മെച്ചമാണെന്ന് ഈ റിപ്പോർട്ടിൽ പറഞ്ഞിരിക്കുന്നു എന്ന് മെമ്പർക്കറിയാമോ?

MR. A. THANU PILLAI (*Trivandrum—Rural*): പ്രൈമറി സ്കൂളുകളെ സംബന്ധിച്ചാണോ മെമ്പർ അഭിപ്രായപ്പെട്ടത്?

MR. N. E. VARUGHESE (*Tiruvalla I*): അതെ.

MR. A. THANU PILLAI (*Trivandrum—Rural*): അങ്ങിനെ റിപ്പോർട്ടിൽ പറഞ്ഞിട്ടുണ്ടെന്നു തോന്നുന്നില്ല.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Does the member suggest two different scales of pay for the same kind of teachers in Government service?

MR. A. THANU PILLAI (*Trivandrum - Rural*): I will come to that. I do not think that it is a fact that these aided schools are working better than departmental schools; on the contrary, I find several references to serious defects in some of the aided schools. There are passages which show that actual fraud is being committed in the aided schools. Mention is made of schools where students existed only in the attendance registers and other school records. I do not see how we can say that the Report says that the aided schools are working better than the departmental schools. How can we expect teachers getting Rs. 5 or 6 a month to do better work than teachers getting Rs. 15 or 18 a month? If that is a fact, I must certainly condemn the department much more strongly than I have been doing hitherto.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): In suggesting that aided schools must be taken over by Government their teachers being paid the Government grants they are now getting, does the member realise that there will then be two different scales of pay for the same kind of teachers ?

MR. A. THANU PILLAI (*Trivandrum—Rural*) : If our finances do not permit all these teachers being paid the salary that the Government school teachers now get, I do not see why we should not pay to the present aided school teachers, the whole of the Government grant at least. Even that they do not get now. As a matter of fact, it is purely out of Government money that the aided schools are now being run. Then, why not do it openly ?

MR. K. C. ABRAHAM (*Kottayam II*) : May I refer to page 133 of the Report to prove the statement that, according to the Committee, the work done in the aided schools is better than that done in the departmental schools ? Has the member read this passage ?

DEPUTY PRESIDENT : I think the question is objectionable. A member should not ask whether another member has read a report that has been distributed. Mr. Abraham can put the question in a different form.

MR. K. C. ABRAHAM (*Kottayam II*) : I only asked the question whether he has read that passage and is taking exception to it.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : I should like to know the passage which the member is referring to.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Sir, on a point of order. മെമ്പർസിനെ ആണറബിൾ മെമ്പർസ് എന്ന് സംബോധന ചെയ്യുവാൻ പാടുണ്ടോ എന്നു സംശയമായിരിക്കുന്നു. ആ സ്ഥിതിക്കു ആണർ എന്നു പ്രസിഡൻറിനെ പറയാമൊ ?

DEPUTY PRESIDENT : No, he did not say that.

MR. K. C. ABRAHAM (*Kottayam II*) : I rise to a point of order. I have understood that it is always a parliamentary practice to address the members of the House belonging to the noble profession of law as the Hon'ble and learned members on the other side.

DEPUTY PRESIDENT : After all, these are not matters affecting the essence of the debate and therefore I do not propose to give a ruling.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : In the light of the observations made so far, do we not cease to be Hon'ble members ?

DEPUTY PRESIDENT : I should like Mr. Chandrasekaran to withdraw that.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : I am sorry, Sir.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : The passage referred to by the member is to the effect that personal enthusiasm is seen

more in some aided schools than in the departmental schools. Now, Sir, that may be so, because in the case of these aided schools, the schools have to continue. Probably in spite of the defective teaching and other defects, the management are interested in seeing that the schools continue. Probably the students may be induced to attend the schools so that a show may be made of the existence of these schools. Anyhow, this thing is clear that a man who is paid Rs. 6 or 7—I do not think much argument is needed to support this statement of—mine-cannot be expected to work with that degree of enthusiasm and earnestness as a man who is paid Rs. 15. I have no objection to the department on the other hand taking over all the aided schools and their having, if the finances do not permit of all the teachers in the primary schools being paid Rs. 15, two grades of teachers, one on Rs. 15 and another on Rs. 10. I do not think that nobody can raise a valid objection to this.

MR. K. GEORGE (*Ag. Land Revenue and Incometax Commissioner*): The only objection is that they will have to be paid the higher pay later on.

DEPUTY PRESIDENT: Mr. George is not in order.

MR. K. GEORGE (*Ag. Land Revenue and Income tax Commissioner*): I am sorry, Sir.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Anyhow, I do not see how that follows. There are officers doing the same kind of work on scales of pay differing very much from the minimum to the maximum. For instance, I may refer to the schoolmaster himself in the English schools. There is the graduate school master on Rs. 50 and there is at the same time the graduate schoolmaster on Rs. 175. I do not see what insurmountable objection there can be in having two sets of Vernacular schoolmasters, one on Rs. 10 and the other on Rs. 15. For my own part, I do not see any objection either logical or practical. Anyhow, so far as the recommendation of handing over the departmental schools to private agencies is concerned, I would emphasise this fact that Government must give up this policy. It has been found that whatever might have been the intentions of that able educationist, Dr. Mitchell, when he framed the Code, they existed only in the Code. It has not been found possible to put them into effect. It has not been found possible to induce the management to spend anything substantial in the conduct of these schools. It has not been found possible to bring them under proper control. On the contrary, we find that the Committee now disclose the very well known fact they emphasise, namely, that these educational institutions which ought to have been the centres of morality are now seen to be the centres of extreme immorality in the sense that they get receipts from teachers for amounts higher than those actually paid to them. Sir, I ask, is it not a disgrace to the system of education which can disclose facts like these? Is it for this that our schools exist? The boy is there. He finds that the teacher signs a receipt for Rs. 12 and takes only R. 7. Can there be anything more immoral than that?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is the boy expected to know it?

MR. A. THANU PILLAI (*Trivandrum-Rural*): In many cases, yes. That is what is happening in many of our institutions.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether it cannot be rectified by imparting religious instruction?

MR. A. THANU PILLAI (*Trivandrum - Rural*): No.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Is there not a condition that the private management should make a contribution of at least 20 per cent?

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I am not an educationalist or an educationist and—

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether—

MR. A. THANU PILLAI (*Trivandrum—Rural*): I am answering one question and before that is answered, no other question, please. I view things from the practical point of view. Dr. Mitchell, when he framed the Education Code, little thought that the consequences would be what we see today. Mr. Chandrasekharan asks, is there not a condition laid in this Report that, before an aided school is given recognition or grant or probably is allowed to continue under new conditions, the management should be able to contribute at least twenty per cent. towards the upkeep of the school. Now, Sir, we are dealing with the management with which the Committee also has been dealing. Is it impossible, I ask, that hereafter, simply because the Report has been published and simply because a new set of officers have come to take the place of old ones, probably even that is not going to be effected in full, simply because all these changes are to take place, it is suggested that the management is not going to be prevented from circumventing hereafter all the conditions of the would-be-Code? I am far from taking that view. I may also tell the House that it is not really the lack of character alone on the part of these managements that has compelled them to resort to these things. It is not that. It is their poverty. Dr. Mitchell probably thought that the Travancoreans would be ready and willing and offer to spend money towards the management of these schools. As a Travancorean, I know that such managements are very few. That fact we should reckon with. Simply because you make rules, do not be under the impression that all the teachers will be paid properly.

MR. K. C. ABRAHAM (*Kottayam II*): What is the difference between the departmental control over private agencies and the policy of diversion?

DEPUTY PRESIDENT: That question need not be answered because that is testing a member's knowledge.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I do not mind if the question is to test my knowledge and I may answer it in my own way. Anyhow, I am not so much concerned with the big question as to what is going to take place under a particular arrangement.

MR. K. R. ELENKATH (*Kalkulam I*): Even supposing that the management is asked to deposit the whole salary, how can the department check the teacher giving back a portion of the money to the management?

MR. A. THANU PILLAI (*Trivandrum—Rural*): What the member suggests is quite possible. Sir, as a lawyer it has come to my knowledge that the money sued for by a party was really not paid at all; though it has been taken to the Sub-Registrar's Office and handed over by one party to another in the presence of the Sub-Registrar, and subsequently after the registration, the money is taken back by the person who paid it. Such a thing takes place. So, in regard to the transfer of schools at any rate, since the proposal is very seriously made, I agree with Mr. P. K. Narayana Pillai in saying that that is one of those proposals which should not be given effect to. If the conditions that are laid down can be fulfilled, probably it might be possible; but I have no hope about it.

The consideration of the financial aspect of the matter is quite important, and the means suggested are not easily acceptable. But in spite of that, Sir, I find there are very many things in the Report that can be given effect to. As Mr. Parameswaran Pillai said in the morning, the complaints against the existing system of education are manifold. One of them is that our educated men have no ability to earn a livelihood. Now, this Report attempts to remedy that defect. In so far as that is concerned, my own impression is that the recommendations in the Report relating to the establishment of technical schools form a very substantial portion of the Report and the consequences of these recommendations will depend, according to me, mainly on the success of these industrial schools that are now suggested. If the recommendations in regard to that aspect of the matter do not produce sufficiently good results, I must take it that, so far as the country's needs are concerned, the Report is not of much use. So, we must see that these recommendations which relate to the opening of technical schools and also the recommendations that relate to the conditions to be brought about for the opening of these schools are well considered. These schools are now suggested in such a way that they will be of use to a student when he has left the Fourth Form. That, I take it, is the gist of the recommendation. That is to say, these vocational schools or technical schools are such that a boy who goes out of the school after the Fourth Form examination will be able to get himself admitted to these schools as also the boy who goes out of the vocational bias schools.

Before going on to that, I have to make a reference to the arrangement that is proposed in regard to the Vernacular school course after the fifth class. I agree with the Committee that the primary course should be extended to five years. Then what is to follow? That is the prime question. We have heard it argued here that the recommendations in the Report have the result of giving a great blow to vernacular education. Sir, there is considerable force in that contention. Here, the suggestion is that a system of vocational bias schools should be

[Mr. A. Thanu Pillai.]

opened to enable the boys who go out of the fifth class to continue their education. No doubt, there is also the English education. I am one of those who have always thought that these 'parallel schools should not be continued. By 'parallel schools' I mean schools like the Vernacular middle schools and the English schools. The Report says that they are not parallel schools, that hereafter at any rate they should not be viewed like that and that these Vernacular schools ought to be considered as vocational bias schools. In regard to these vocational bias schools, my fear is that they are not going to be a success. I do not think much argument is needed to show that. It is also proposed that the number of these schools will be considerably reduced. That is what I understand from the Report and here we find the complaint that our vernacular is going to be neglected and also that the general level of culture in the country is going to be lowered. I am afraid there is great force in that contention. Now, what is the remedy suggested? We find the English school from the First to the Sixth Form. Two things have to be guarded against. One is the future of the Vernacular and the other is the general level of culture among the masses. In regard to these two points, I am afraid the Report is very defective. Now, Sir, there are about 25,000 students in the Vernacular middle schools and high schools. From the 6th class onwards about 25,000 students are studying in the Vernacular schools and about 50,000 students are studying from the I Form to the VI Form. As to the 25,000 students, I do not see that sufficient provision is made to enable them to continue their education. No doubt there will be the answer that it is not desirable that they should be allowed to continue their education and that a large number of them should be given facilities to divert their studies into vocational schools. It may be stated that that is to their advantage. But I am not satisfied with that. After all, five years' study in Vernacular schools will not give a man that education which an educated citizen should have, even though it is not expected to qualify him for higher things, That fact should not be ignored. The Committee itself is of opinion that five years' course is not enough for primary education. But it is said that they are not recommending up to the VI Class because of the difficulty in regard to accommodation and other things. Their hope is that in the fulness of time the primary course should cover six years. That is what has been laid down in the Report. As Mr. Abraham pointed out—I think it was Mr. Abraham—that Travancore is famous for its literacy, and as Mr. E. V. Krishna Pillai stated, it is famous for its Malayalam education and literature. That does not mean that the general level of culture should be allowed to lower itself unduly. So I would suggest that these Malayalam middle schools may be converted into English middle schools as they are proposed here. I find that in the interests of the Vernacular and also in the interests of the students themselves, the proposal is made that in these English schools the medium of instruction will hereafter

be Malayalam provided the Headmaster or the Manager of the institution desires it. That may help to give a guarantee to some extent that the interests of the Vernacular will not be neglected. But in regard to that proposal, I am of opinion that it is not enough to leave it to the management or the Headmaster to decide whether the medium of instruction in that school will be Malayalam or English. I am emphatically of the view that the medium of instruction in the English schools should compulsorily be made Malayalam. The only difficulty that I find in the Report relates to the existence of more languages than one in particular localities. The other difficulty, the Report itself answers satisfactorily. In regard to that I may say that we have only Malayalam and Tamil in this country. In the taluks of Tovala, Agastisvaram and Shencotta, Tamil may be made the medium of instruction. In other taluks, Malayalam may be the medium of instruction, provided also that in places like Trivandrum, where a section of the population is composed of Tamilians, both languages may be adopted. In the Vanchiyur school, for instance, we will find that a number of Tamil classes will be necessary.

MR. A. EASWARA PILLAI (*Kottarakara*): May I know whether the member is in favour of the retention of Vernacular middle schools?

MR. A. THANU PILLAI (*Trivandrum—Rural*): I am against a system of education where purely for literary purposes two sets of schools are allowed to exist.

MR. A. EASWARA PILLAI (*Kottarakara*): Then may I know whether the member is in favour of vocational bias schools?

MR. A. THANU PILLAI (*Trivandrum—Rural*): My position is that vocational bias schools may be tried. But I am not quite optimistic of the results of that trial. Anyhow let us see whether such schools will work in selected areas in selected systems of study. I am of opinion that the general level of culture will go down unless we see that English schools are increased in number. According to me, out of about 25,000 students attending classes VI, VII, VIII, and IX in the State, the majority will go without facilities for continuing their education unless you satisfy two conditions—the number of English schools should be increased and also the cost of English education should be lowered. These two conditions have to be satisfied. That is what I have to impress upon the House.

As for the cost it must be said that the State cannot meet it. That problem has not been worked out either in the Report. That is to say, the cost of converting the existing Vernacular middle schools into English schools, Forms I to IV, has not been worked out.

DEPUTY PRESIDENT: Time is up.

MR. N. JOHN JOSEPH (*Nominated*): സർ, അധഃകൃതരുടെ പ്രതിനിധിയായ എനിക്കു് സംസാരിക്കുന്നതിനു് കൂടുതൽ സമയം തരണമെന്നു് ഞാൻ അപേക്ഷിക്കുന്നു.

DEPUTY PRESIDENT: മെമ്പർക്കു പത്തു മിനിട്ടു സമയം അനുവദിച്ചിട്ടുണ്ട്. ആ സമയത്തിനകത്തു പ്രസംഗം തീർക്കുകയും വേണം.

MR. N. JOHN JOSEPH (*Nominated*): ഇന്നിവിടെ സമർപ്പിച്ചിരിക്കുന്ന സ്റ്റാത്താംകമ്മററി റിപ്പോർട്ടു നിമിത്തം മലയാളവിദ്യാഭ്യാസത്തിന്റെ മാഹാത്മ്യം കുറഞ്ഞു പോകുമൊ എന്നു സംശയിക്കേണ്ടിയിരിക്കുന്നു. വിദ്യാഭ്യാസം നിർബന്ധിതം ആക്കി തീർക്കേണ്ടതിനെപ്പററി റിപ്പോർട്ടിൽ കാര്യമായി ഉടനടി ചെയ്യേണ്ട വ്യവസ്ഥകൾ ഒന്നും തന്നെ ഇല്ല. നൂതനമായി ഒരു ചട്ടമുണ്ടാക്കി ചില സ്ഥലങ്ങളിൽ എങ്കിലും വിദ്യാഭ്യാസം നിർബന്ധമാക്കേണ്ടതിനു അത്യാവശ്യമുള്ള ന്യായങ്ങൾ ഈ റിപ്പോർട്ടിൽനിന്നു തന്നെ ഉദ്ധരിക്കാവുന്നതാണ്.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether Mr. Statham follows the speech?

DEPUTY PRESIDENT: That is not a matter which concerns you. (*Laughter*)

MR. N. JOHN JOSEPH (*Nominated*): വിദ്യാലയങ്ങളിൽ പോകാൻ പ്രായമുള്ള ഓരോ വർഗ്ഗത്തിലുമുള്ളവരുടെ മൊത്തം സംഖ്യയും ഇപ്പോൾ പോകുന്നവരുടെ സംഖ്യയും തമ്മിൽ ഉള്ള താരതമ്യം ൧൧൦൭-ലെ റിപ്പോർട്ടിൽ കാണിച്ചിട്ടുള്ളതു പിശകാണെന്നും നമുക്കു അതിന്റെ താരതമ്യത്തെപ്പററി അഭിമാനിക്കാൻ യാതൊന്നും ഇല്ലെന്നും റിപ്പോർട്ടിൽ കാണുന്ന സ്ഥിതിക്കും ഈ രാജ്യത്തിലെ ആകെയുള്ള റവന്യുവിൽ ൨൩ ശതമാനം വിദ്യാഭ്യാസത്തിനു വേണ്ടി ചിലവാക്കുന്ന സ്ഥിതിക്കും വിദ്യാഭ്യാസം നിർബന്ധവിഷയമാക്കാതെ ഇന്നത്തെ രീതിയിൽ തന്നെ തുടന്നു കൊണ്ടു പോകുന്നതായിരുന്നാൽ എല്ലാ വർഗ്ഗക്കാരെയും അഭ്യസ്തവിദ്യരാക്കണമെന്നുള്ള ഗവമ്മെന്റിന്റെ ഉദ്ദേശം സഫലമാകുന്നതിനു എത്രകാലം കാത്തിരുന്നാലും സാദ്ധ്യമല്ല. ഇംഗ്ലീഷ് വിദ്യാഭ്യാസം ഈ രാജ്യത്തു ഏർപ്പെടുത്തിയിട്ടു ൧൧൯ വർഷങ്ങൾ ആയിട്ടുണ്ട്. ഇംഗ്ലീഷ് വിദ്യാഭ്യാസത്തിലേക്കു ജനങ്ങളെ ആകർഷിക്കുന്നതിനായി ആദ്യകാലത്തു ഓരോ വിദ്യാർത്ഥിക്കും രണ്ടു രൂപാ വീതം വേതനം കൊടുത്തുവന്നിരുന്നു. അതിനുശേഷം ഫീസ് ഇല്ലാതെ എല്ലാവരേയും ഇംഗ്ലീഷ് പഠിപ്പിച്ചു. പിന്നീട് നാമമാത്രമായി നാലണ ഫീസ് നിശ്ചയിച്ചു് ഇംഗ്ലീഷ് പഠിപ്പിച്ചു. ഈ പ്രകാരത്തിൽ പഠിപ്പിച്ചതിനുശേഷം ക്രമേണയാണ് ഇന്നത്തെ ഫീസിന്റെ തുക വർദ്ധിച്ചിട്ടുള്ളതു്. ഈ കാലഘട്ടങ്ങളിൽ ഒന്നും തന്നെ അധഃകൃതക്കു സ്കൂളിൽ പ്രവേശനം ഉണ്ടായിരുന്നില്ല. അധഃകൃതക്കു പ്രവേശനം കിട്ടി തുടങ്ങിയിട്ട് ൨൦ വർഷമേ ആയിട്ടുള്ളു.

എന്നിട്ടും അധഃകൃതരിൽനിന്നും ഒരൊററ ബി. ഏ. ക്കാരനെ എങ്കിലും കിട്ടുന്നതിന്ന് ഗവൺമെൻറിൽനിന്നും ചെയ്തിട്ടുള്ള സൌകര്യങ്ങളും സൌജന്യങ്ങളും പര്യാപ്തമായി തീർന്നിട്ടില്ല എന്നു വ്യസനസമേതം പറയേണ്ടിയിരിക്കുന്നു. ഈ റിപ്പോർട്ടിലും ഫീസ് സൌജന്യം ചെയ്യണമെന്നു കാണുന്നുണ്ട്. അധഃകൃതവിദ്യാത്ഥികൾ മററു വിദ്യാത്ഥികളോടു മത്സരിച്ചു ഫീസ് സൌജന്യം കയ്ക്കലാക്കണമെന്നാണ് നിശ്ചയിച്ചിരിക്കുന്നത്.

We recommend therefore, that fee concessions should only be granted to pupils who have shown, by examination, that they are of more than average ability and who, at the same time, have been certified as poor.''

സകലവിധസുഖാനുഭവങ്ങളും അനുഭവിച്ച് ധനവാന്മാരായി ജീവിക്കുന്ന അഭ്യസ്തവിദ്യരായ മാതാപിതാക്കന്മാരുടെ സന്താനങ്ങളോട് കേവലം വെയിലും മഴയും ഏററു പട്ടിണിക്കാരായി കഴിയുന്നവരുടെ സന്താന പരമ്പരകൾ മത്സരിച്ച് സാമത്ഥ്യംകാണിച്ച് ഫീസ് സൌജന്യം സമ്പാദിക്കണമെന്ന് നിശ്ചയിച്ചിരിക്കുന്നത് ഒരിക്കലും ആശാസ്യകരമായ ഒരു സംഗതിയല്ല. അതിനാൽ സാർവത്രികമായി ഫീസ്സൌജന്യം ഇപ്പോഴത്തെ രീതിയിൽതന്നെ തുടൎന്നുകൊണ്ടുപോകേണ്ടതും രണ്ടുവർഷം തോററുപോയാൽ മൂന്നാമത്തെ വർഷത്തിൽ ഫീസ് സൌജന്യം കൊടുക്കേണ്ട എന്ന് തീരുമാനിക്കുകയും ചെയ്യണം. മൂന്നാമത്തെ വർഷത്തിൽ ജയിക്കുകയാണെങ്കിൽ ഫീസ്സൌജന്യം വീണ്ടും തുടരേണ്ടതാണ്. ഫീസ്സൌജന്യസംഗതിയിൽ ഇങ്ങിനെ ഒരു ഭേദഗതി അത്യാവശ്യമാണ്. ഇംഗ്ലീഷ്‌വിദ്യാഭ്യാസനത്തിന്ന് സവർണ്ണസമുദായങ്ങൾക്കു പ്രാരംഭഘട്ടത്തിൽ ചെയ്തുകൊടുത്തിട്ടുള്ള സൌജന്യങ്ങളെല്ലാം അധഃകൃതരെ സംബന്ധിച്ചിടത്തോളം ചെയ്തുതരേണ്ടതു് അത്യാവശ്യമാണ്. അങ്ങിനെ ഓരോ താലൂക്കിലും രണ്ടോ മൂന്നോ ബി. ഏ-ക്കാരെങ്കിലും അധഃകൃതരിൽനിന്നും ഉണ്ടാകുന്നതുവരെ ഈ ഏർപ്പാട് തുടൎന്നുകൊണ്ടുപോകണമെന്ന് ഞാൻ ഗവൺമെൻറിനോട് അപേക്ഷിച്ചുകൊള്ളുന്നു.

കൃഷിസംപ്രദായങ്ങളെപ്പററി അധഃകൃതരെ പഠിപ്പിക്കേണ്ടയാവശ്യമില്ല. അധഃകൃതൎക്ക് ഭൂമിയില്ല. ആകാശത്തിൽ കൃഷിചെയ്വാൻ സാധിക്കുകയുമില്ല. സവർണ്ണക്രിസ്ത്യാനികളുടേയും ഹിന്ദുക്കളുടേയും ഭൂമികളിലാണ് അവർ കൃഷിചെയ്യുന്നത്. ആ സ്ഥിതിക്ക് ഈ സഭയോ മറേറതെങ്കിലും സമുദായക്കാരോ ഞങ്ങളുടെ ഫീസ്സൌജന്യകാര്യത്തിൽ വിരോധികൾ ആയിരിക്കുകയില്ല എന്നുള്ളതു് നിശ്ചയമാണ്.

[Mr. N. John Joseph.]

അധഃകൃതക്കുള്ള അപൂർണ്ണവിദ്യാലയങ്ങൾ നിർത്തണമെന്നു പറഞ്ഞുകാണുന്നു. അങ്ങിനെ ഒരിക്കലും ചെയ്യാൻപാടില്ല. അങ്ങിനെ ചെയ്താൽ അധഃകൃതക്ക് ഇപ്പോഴുള്ള വിദ്യാഭ്യാസംതന്നെ നഷ്ടമായിതീരുന്നതാണ്. പരിശോധനഉദ്യോഗസ്ഥന്മാരായ ഇൻസ്പെക്ടറന്മാർ മൂന്നോ നാലൊ വർഷത്തേക്ക് ഈ കാര്യത്തിൽ ശ്രദ്ധ പതിപ്പിച്ചാൽ അപൂർണ്ണവിദ്യാലയങ്ങളെല്ലാം പൂർണ്ണവിദ്യാലയങ്ങളായിത്തീരുന്നതാണ്. അവർ സ്കൂളുകളുടെ ഗ്രേഡ് വർദ്ധിപ്പിക്കുന്നകാര്യത്തിൽ അവർക്കുള്ള പ്രേരകശക്തി പതിപ്പിച്ചുകാണുന്നില്ല. അധഃകൃതർക്ക് നിർബന്ധവിദ്യാഭ്യാസം ഏർപ്പെടുത്തണം. ജനപ്രതിനിധിസഭ മുതലായ സ്ഥാപനങ്ങളിൽ പ്രവേശിച്ച് അവർക്ക് ഉപകാരപ്രദങ്ങളായപ്രവൃത്തികൾ നടത്തുന്നതിനു വിദ്യാഭ്യാസം ഇല്ലാതെ സാധിക്കുകയില്ല കാലതാമസംകൂടാതെ പുരുഷപ്രാപ്തിയുള്ളവർക്കെല്ലാം സമ്മതിദാനാവകാശം ലഭിക്കുമെന്നു വിചാരിക്കുവാൻ ന്യായം കാണുന്നുണ്ട്. വിദ്യാഭ്യാസംകൂടാതെ അധഃകൃതർക്കു അവരുടെ സമ്മതിദാനാവകാശം ഉപകാരപ്രദമായവിധത്തിൽ ഉപയോഗിക്കാൻ സാധിക്കുന്നതല്ല. മുനിസിപ്പാലിററികളിലെങ്കിലും വിദ്യാഭ്യാസം നിർബന്ധമാക്കണം. അതിനാൽ അധഃകൃതർക്ക് ഇംഗ്ലീഷ്‌വിദ്യാഭ്യാസവും മററു വിദ്യാഭ്യാസവും ലഭിക്കുന്നതിന് വേണ്ട സകലസൌജന്യങ്ങളും അനുവദിച്ചുതരേണ്ടതാണ്.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I must join with the other members in congratulating the Committee in having brought out this Report. This is one of the few Committees constituted in Travancore which has finished its labours in such a short time and brought out a report which is at once weighty and useful.

I shall now proceed with the points in the order followed in the Report itself. The first suggestion made in the Report is that the Director should be the Educational Secretary to Government. I may say that I have had some experience of Secretariat work and I join with the opinion expressed by Mr. Changanachery Parameswaran Pillai. If this recommendation is accepted, similar claims from other heads of important departments such as the Chief Engineer, the Darbar Physician, etc., will have to be considered and a similar treatment given. This does not appear possible under present conditions. The Report says that it is the Assistant Secretary to Government that deals with educational matters and stands between the Director and the Government. This is not correct, because there is the Chief Secretary above the Assistant Secretary. The Assistant Secretary is only in initial charge of the Education Section. All papers pass on to the Chief Secretary and the Chief Secretary it is that sends them to the

Dewan for orders. So far as the present Assistant Secretary is concerned, he is not new to the educational matters. The change proposed will come to pass when an Executive Council of Ministers is formed. Then the Director of Public Instruction will come under the responsible Minister or Member. I cannot, however, ignore the fact that the difficulties pointed out in dealing with educational matters have some foundation. To obviate them, I would suggest that an experienced officer of the Education Department be appointed as one of the Secretaries to Government when a vacancy occurs in that cadre. He should be one who has teaching, executive and University experience. He may be in charge of the educational portfolio and also other departments that may be assigned to him. I would commend this suggestion for consideration.

With regard to the Financial Assistant, for the reasons stated by the Director in his Report, an officer like that is in my view necessary. I would however emphasise the fact that the officer to be selected should be one from the Account Office. He may be an Assistant Account Officer, in the lower grade on Rs. 225-25-300.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): A little louder, please. I cannot hear.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): The Financial Assistant should preferably be an officer from the Account Office. His services must be lent to the Director for a period of years. He may be under the Director's administrative control but should look for his promotions in the Account Office. The advantage to be obtained by such an arrangement will not be had if an officer in the Director's office or in his department is promoted as Financial Assistant. If necessary, the scale may be raised to Rs. 225 to 300.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is not a Superintendent enough?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): That may be enough. An experienced Superintendent may be sent from the Account Office.

In regard to the post of the Deputy Director, though the present Deputy Director gets a pay of Rs. 900, the scale proposed in the Report is only Rs. 300-600. If a Deputy Director on that scale is appointed, I do not think there should be any need for a Personal Assistant in the Director's Office, along with a Deputy Director and also a Manager under the Personal Assistant. (*Hear, hear*). I would, therefore, suggest for consideration whether the post of Personal Assistant to the Director may not be abolished.

With regard to the recommendations about inspection, there are some anomalies in the Report. It is proposed that the Assistant Divisional Inspectors also can inspect English High Schools. The scale of pay provided for these Assistant Divisional Inspectors is Rs. 175-20-275, whereas all English High Schools are under Headmasters who are on Rs. 200-300. It is an anomaly that the work of officers on higher

[Mr. T. P. Ramasubba Aiyar.]

pay should be inspected by officers on lower pay. I would, therefore, suggest that the Divisional Inspectors should be asked to inspect English High Schools, and their Assistants should not be allowed to do it.

Similarly, there is an anomaly in regard to the Assistant Inspectresses also. According to the recommendations in the Report, they have to be under two officers, the Divisional Inspectors and the Chief Inspectress. This is an anomalous position. If, for the reasons stated in the Report, there is no harm in the Assistant Inspectors and Assistant Inspectresses inspecting boys' and girls' schools, the need for a Chief Inspectress and an Assistant Chief Inspectress, newly sought to be created, is not clear. I ask, whether these two posts may not be done away with, the entire inspection work in all schools being done by the rest of the inspecting agency. In the alternative, the girls' schools should be inspected by the Inspectress and her Assistants alone and the latter should not be under the control of Divisional Inspectors.

Coming to collegiate education, I agree that the B. A. classes in the Women's College may be closed. If it should serve any useful purpose, other groups must also be opened. Under the present circumstances, the best thing will be to close the B. A. classes completely.

I have objection however to the Intermediate classes of the Science College being transferred to the Arts College and the B. A. and Honours classes of the Arts College being transferred to the Science College. That means expenditure. The Intermediate classes are also now under the University of Madras, and there is no force in saying that they are only post-high-school classes. They may be left as they are until the Government take up the question of a Travancore University seriously for consideration. If and when that time arrives, the separation proposed may be done. As regards the duplication of courses of study now provided for in more than one college in the State, my view is that the question need be considered only for the future, when further new courses are sought to be opened. The present courses of study, now available in the local colleges, need not be abolished merely because we have them in other colleges in Travancore or in Cochin. If new courses are thought of, Government may start correspondence with other colleges in the State or in Cochin and then decide as to which college should undertake the provision of which group or course of study.

In regard to the Sanskrit College, there is some inconsistency in the recommendations made in the Report. In the case of the Intermediate classes of the Arts and the Science Colleges, the Committee deplore that they are affiliated to the Madras University and suggest that they must be dealt with separately as something different from thel higher collegiate classes, since they are really only post-high-schoo

classes. The proposal is that, though they are really under the University, they must be treated as though they do not form part of University education. On the other hand, in the case of the Sanskrit College, which is at present independent of the University of Madras, and quite free to develop in its own way, the Report suggests that it must get itself affiliated to the Madras University in the Siromani and Vidwan Tests provided by the Madras University. I cannot understand the reason for this.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Does the member realise that the Madras University Sanskrit Tests have wider and better prospects?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): But Travancoreans will have difficulty in getting employed outside. The affiliation was attempted in the past, but it was not successful. We have got our Mahopadhyaya Test here over the Sanskrit Upadhyaya Test. The Committee say that the Mahopadhyaya class may be left as it is independently in the College. I do not see the force of reasoning here. I would therefore advocate that the College may be left alone.

MR. C. V. KUNJURAMAN (*Nominated*): ഇവിടെ ശിരോമണി മുതലായ പരിക്ഷകൾ പാസ്സായിട്ടുള്ളവൎക്ക് യാതൊരു പ്രോത്സാഹനവും കിട്ടുന്നില്ലെന്നു മെമ്പൎക്കറിയാമോ?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): That may be.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): We did not hear either the question or the answer. It is rather very difficult to complain very often.

DEPUTY PRESIDENT: I may say with regard to the complaint about not hearing, that a member has the right of being present in the House when another member talks, in the same way as a member has the right to speak but not to be heard. I am making this statement deliberately so that, if one's voice is not loud enough, the others have to take the chance. The Chair cannot put any compulsion on any member to speak louder than he can.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I request the President to move the Government to have some loud speakers in the Hall?

DEPUTY PRESIDENT: When such a proposal is put before the House according to law and in conformity with the rules by way of a resolution or by other means, that will be considered.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If the President feels the necessity, could he not take some action?

DEPUTY PRESIDENT: It is not my business to pursue this. I am not going to waste public time. Mr. Asan may therefore carefully listen and possibly there are greater chances of hearing the members. Please proceed, Mr. Ramasubba Aiyar.

MR. K. R. ELENKATH (*Kalkulam I*): Can the rest of the House take part in this discussion?

DEPUTY PRESIDENT: I decline to give a ruling.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I beg to submit that I am listening very carefully.

DEPUTY PRESIDENT: I congratulate you.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): The Committee has also proposed the conversion of the existing Sanskrit schools with English bias in the State into English schools with Sanskrit bias. I am against it also.

With regard to the provision for residential accommodation in the colleges, there is no objection and it is a laudable suggestion that adequate accommodation should be provided in the hostels. But the element of compulsion that every student should be a resident in the hostel should be removed, and it should not also be a condition of admission of a student or of recognition in the case of aided schools. As another member indicated, if a parent of a boy or girl who is in the town is prepared to keep the boy or girl in his own house, which means in desirable environments, I do not see why such a boy or girl should be compelled to live in a hostel. As part of the scheme the Report advocates a common dining hall. That reform also should not be given effect to immediately. Where orthodox people belonging to different religions want separate dining halls, there must be provision for that.

Coming to religious instruction, I am at one with Mr. Changanachery Paramesvaran Pillai in thinking that religious instruction as advocated in the Report is objectionable. It may be at present confined to the imparting of moral instruction alone: but if religious instruction is to be given, it should be given by teachers belonging to the communities to which the student belongs. The written consent of a parent is a meaningless safeguard as such consent may be had if religious instruction is made a condition of admission, at least informally by headmasters and managers of schools.

The suggestion about medical inspection in the Report is too drastic and unworkable. Medical inspection was tried here three or four years ago and it was found not very profitable unless remedial treatment is also provided immediately. There are about five lakhs of boys alone in the various departmental and aided schools and the total number of medical officers in the State is less than 200. It is therefore not possible to have all these boys examined, and even if they are examined, it is not quite easy to provide for remedial treatment. So, to make it compulsory and to make it also a condition for recognition in the case of aided schools is impracticable.

With regard to fee concessions, I support Mr. N. John Joseph in his request that, so far as the depressed class members are concerned,

the rule should not be lightened. At present, they get the fee concession for two years. It is only when a student fails a second time that the concession should be withdrawn. That arrangement should continue.

In regard to the suggestion about the transfer of schools to private agencies, there are two important defects in the Report, namely, the improper realisation of the capacity of private agencies or local bodies to take over schools and the impossibility of local boards or other bodies coming into existence in the near future to take over the management. As Mr. E. V. Krishna Pillai pointed out, not one of the Municipal Councils is now in a condition to take over management of schools.

DEPUTY PRESIDENT : The discussion on this subject will stand adjourned till the afternoon of Tuesday next. We will adjourn now and meet again at 11 A. M. on Saturday.

The House adjourned at 5-3 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
OF
THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT*)

FIRST ASSEMBLY.

SECOND SESSION.

Saturday, the 18th November 1933/3rd Vrischikom 1109.

The Assembly re-assembled in the Victoria Jubilee Town Hall at eleven of the clock, the Deputy President presiding.

QUESTIONS AND ANSWERS.

Chadayamangalam and Nooranad Sub-Registry Offices.

31. *Mr. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state for the year 1108:

(*a*) the number of documents registered in the Chadayamangalam Sub-Registry Office and the number of clerks employed therein; and

(*b*) the number of documents registered in the Nooranad Sub-Registry Office and the number of clerks employed therein?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*):

	No. of documents.	*No. of clerks.*
(*a*)	2,960	6
(*b*)	3,484	

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the number of clerks is fixed according to the quantity of work to be turned out?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then may I know why, in places where the number of documents registered is larger, the number of clerks is smaller than in other offices?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The position has altered since the statement I have read out was received. The number of clerks in the Chadayamangalam Registry office has been reduced by one and the number in the Nooranad Sub-Registry office has been increased by one.

G.P.T.997—350.—27-6-09. B

Damages to paddy crops in the Mavelikara taluk.

32. *MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether the Dewan and the Executive Engineer, Quilon, have received memorials dated 11-12-1108 from one Govindan Velayudhan Thankal, for the purpose of preventing recurring damages to paddy crops in certain fields in Vathikulam *muri*, Thekkakkara *pakuthi*, Mavelikara, by constructing culverts in the place of certain small pipes on the Punnamoodu-Pallikal road; and

(*b*) if the answer to part (*a*) is in the affirmative, the steps taken on the same?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) Yes.

(*b*) The Division officer, Quilon, inspected the site and has called for estimates for constructing a causeway in place of one of the culverts, and for a culvert of a larger vent-way in place of the other.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Are the Government aware that the work is of a very urgent nature?

MR. L. H. JACOB (*Ag. Chief Engineer*): Government are not aware that it is very urgent.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the member ascertained the extent of paddy fields, the crops of which will be damaged if the work is delayed.

MR. L. H. JACOB (*Ag. Chief Engineer*): No.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) May I know whether it will be ascertained and the work taken up without delay?

MR. L. H. JACOB (*Ag. Chief Engineer*): That will be considered.

Admission of Muslims to the Vaccination Class.

33. *MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Will the Government be pleased to state:

(*a*) how many Muslim applicants were admitted into the Vaccination Class on the last occasion;

(*b*) how many applications from Muslims have been received for admission to the Vaccination Class from 1-1-1108; and

(*c*) how many have been admitted?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) One in 1106.

(*b*) 9.

(*c*) 2.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member whether any Vaccination Class was opened this year?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member whether Muslim applicants from among those applicants who applied for admission to the Vaccination Class and who have passed the examination are still unprovided for?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice. I have no information.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know who is responsible for making the selection?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Till last year it was the Sanitary Commissioner, but after the amalgamation of the Sanitary Department with the Public Health Department, the Deputy Director of Public Health is probably responsible for the selection.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether Government have given any directions to the Public Health Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No special directions have been given.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether Government will give directions to the selecting authorities so that all communities may get a chance of admission?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is more or less the policy of Government and the selecting authorities know it. Therefore no special instructions are necessary.

Muslim graduate teachers in the Education Department.

34. ***MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) whether there is a single Muslim graduate teacher in the Education Department; and

(*b*) (i) the number of Muslim graduates who have applied for appointments as teachers in the Education Department during the last ten years;

(ii) the number appointed; and

(iii) if no appointment is made, the reason therefor?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes; two.

(*b*) (i), (ii), & (iii). Government do not consider that any useful purpose will be served by collecting the information for ten years. It is reported that, since 1930, nine applications were received from Muslim graduates for appointment as teachers, and that none of these nine applicants was appointed for want of suitable vacancies and also because of the seniority list.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): In regard to the answer to part (*a*), may I know from the member whether, of the two hands that are now in the Education Department, one has been sent back from the college as a supernumerary?

MR. R. M. STATHAM (*Director of Public Instruction*): He was in the college. Owing to retrenchment he was sent back.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether one of the hands was not a Tutor in the Science College?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): In regard to the answer to part (*b*), may I know from the member whether Muslim graduates who have passed the L. T. examination have also applied for posts?

MR. R. M. STATHAM (*Director of Public Instruction*): Does the member mean among these nine applicants?

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Yes.

MR. R. M. STATHAM (*Director of Public Instruction*): I do not think so.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Are the Government aware that there are Muslim graduates who have also taken the L. T. Degree seeking admission to the department?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. A. THANU PILLAI (*Trivandrum*): Neither the question nor the answer is audible.

DEPUTY PRESIDENT: Please speak louder.

MR. R. M. STATHAM (*Director of Public Instruction*): We have recently received applications from Muslim graduates who have passed L. T.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member whether there is any Muslim graduate L. T. in the Education Department at present?

MR. R. M. STATHAM (*Director of Public Instruction*): No.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member when the first application from a Muslim graduate L. T. was received by the Government for appointment in the Education Department?

MR. R. M. STATHAM (*Director of Public Instruction*): I do not think I can give an accurate reply now. But I think in the last two months one or two such applications have been received.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member whether their claims will be considered favourably?

MR. R. M. STATHAM (*Director of Public Instruction*): Their claims are being considered.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): From the fact that they have not been entertained till now, may I know from the member whether he is in a position to assure the House that the claims of Muslim L. T.'s will be considered favourably?

DEPUTY PRESIDENT: If you will omit the first portion, I will allow the question.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Yes, Sir, I will omit. May I know whether he will consider the claims of L. T. Muslim graduates seeking admission into the department?

MR. R. M. STATHAM (*Director of Public Instruction*): According to the Report of the Education Reforms Committee, further representation of Muslim graduates in the department will be considered.

MR. M. SIVATANU PILLAI (*Tovala*): May I know from the member whether a Muslim graduate with Urdu as second language applied for a post in the department?

MR. R. M. STATHAM (*Director of Public Instruction*). The answer is 'yes'.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether he has been entertained in the department?

MR. R. M. STATHAM (*Director of Public Instruction*): No.

MR. M. SIVATANU PILLAI (*Tovala*): May I know the reason for that?

MR. R. M. STATHAM (*Director of Public Instruction*): His application is under consideration.

Flood damage in Nedumangad taluk.

35. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) the extent of loss the people of Nedumangad taluk suffered due to floods in the month of Edavam 1108 in the matter of the destruction of buildings, destruction of crops, etc.;

(*b*) whether the Government have done anything towards the relief of the agriculturists who have sustained serious loss and damages to their paddy fields and paddy cultivation;

(*c*) whether they are aware that the major portion of paddy fields in Nedumangad taluk has become unfit for cultivation due to recent floods; and

(*d*) whether the Government have taken any measures to ascertain the amount required to remove the silt, to restore the waterways to their orignal condition and thereby make the paddy fields fit for cultivation?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): (*a*) 310 buildings were damaged by the floods in Edavam 1108. In all the 16 *pakuthies* together, the crops on a total extent of 1,089 acres and 87·25 cents of paddy lands were damaged. The Tahsildar has estimated the loss at Rs. 13,890 under damage to buildings and Rs. 20,417 under destruction of crops.

(*b*) Yes. Statements for remission of the Kanni crop assessment on the damaged lands have been called for and are being prepared for necessary action. Particulars of damage caused by breaches of bunds and silting up of paddy lands are also being collected for necessary action. Immediate relief was rendered in the shape of money doles at the rate

[Mr. K. George.]

of Rs. 3 per house owner to 63 house-owners, who were the poorest among those rendered homeless by the floods. Action is being taken for getting as many of the breaches to irrigation channels and tanks repaired by the P. W. D. as possible. Government have also issued instructions to the P. W. D. for the prompt execution of the necessary repairs to roads, irrigation tanks and *todus*.

(*c*) An extent of 1,089 acres and 87·25 cents of paddy lands has been rendered unfit for cultivation by being silted up with sand etc.

(*d*) The closing of the breaches of *todus* and tanks, removing sand and silt from the fields, and rendering them fit for cultivation is estimated by the local Tahsildar to cost about a sum of Rs. 34,102.

MR. S. J. NAIR (*Nedumangad*): May I know the fate of the cultivators whose paddy lands have become completely useless?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): They cannot cultivate them until the silt is removed.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Government intend reducing the tax?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): No. They are arranging to have a remission as will be seen from the answer.

MR. S. J. NAIR (*Nedumangad*): Will the remission be granted till the paddy fields become useful?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I cannot say that. Government are taking statistics of fields which have been damaged and where the crops have failed on account of the floods. Remission will be granted when the statements called for from the Tahsildars are received.

Export of Tea seeds.

36. ***MR S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state whether the exportation of tea seeds to foreign countries from Travancore is prohibited by Customs Notification?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Under Customs Notification R. O. C. No. 699/33/Devt., dated the 3rd June 1933, the export of tea seeds from Travancore is prohibited with effect from the 7th June 1933.

MR. S. J. NAIR (*Nedumangad*): May I know whether there are tea estates that are specially intended for the collection of tea seeds?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know the nature of the Agastiar Tea Estate?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know whether, in the face of the above notification, the tea estate owners, whose estates are specially intended for the collection of tea seeds alone, will be rendered any help?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): If an application is made by the owners, the question will be considered.

MR. M. SIVATANU PILLAI (*Tovala*): May I know what the reason is for prohibiting the export of tea seeds?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The notification corresponds to a similar notification in British India.

MR. M. SIVATANU PILLAI (*Tovala*): Am I to infer then that the Government of Travancore did not enquire into the matter as to why the British Government have prohibited the export of tea seeds?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The Travancore Government have followed British India.

MR. M. SIVATANU PILLAI (*Tovala*): So, am I to understand then that there was no reason for the Government of Travancore to prohibit the export of tea seeds?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Government have not specially enquired into the reasons therefor.

MR. M. SIVATANU PILLAI (*Tovala*): May I know, was the matter enquired into in a general way at least?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): We have followed the Government of India.

MR. M. SIVATANU PILLAI (*Tovala*): Am I to infer then that simply because the Government of India prohibited, the Travancore Government did the same thing. Is that the only reason?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I have answered that question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the Government of Travancore had any curiosity to understand the reasons which prompted the British Government in prohibiting the export of tea seeds?

DEPUTY PRESIDENT: What is the meaning of the word 'curiosity'?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Desire for knowledge.

MR. T. C. THOMMEN (*Ag. Secretary to Government*): We were satisfied with what the Government of India did.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): How is it?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Because the Government of India were satisfied, we were also satisfied. (*Laughter*).

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I put the question just to elucidate further points. The Secretary is not giving proper answers.

DEPUTY PRESIDENT: All that I can do is to allow or disallow a question. I cannot compel a member to answer in a particular way. You may put your question now.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, what are the reasons that prompted the British Government to prohibit the export of tea seeds?

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I rise to a point of order. May I know whether one member can repeat the same question which is disallowed?

DEPUTY PRESIDENT: The Government member gave an answer which according to the member is unsatisfactory. It is satisfactory to the Chair. No further question need be put on that point.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) ; May I know whether the Government of Travancore are prepared to ascertain the reason that prompted the British Government to prohibit the export of tea seeds?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the Government does not think that the reasons which might have prompted the British Government to prohibit the export of tea seeds need not be always advantageous to our Government ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : I claim notice.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : May I know whether there was any correspondence between the Government of India and the Travancore State regarding this subject ?

MR. T. C. THOMMEN (*Ag Secretary to Government*) : There was no correspondence.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : May I know whether there was any intimation from the Government of India on this subject ?

DEPUTY PRESIDENT : Correspondence means intimation. Therefore the question has been answered.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : Correspondence is a comprehensive term and therefore my question whether any intimation has been received from the Government of India on the subject remains unanswered.

DEPUTY PRESIDENT : I disallow that question.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know whether the Government has considered the question whether the prohibition is in the interests of Travancore or adverse to its interests?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : The Government have not specially considered the question.

MR. A. THANU PILLAI (*Trivandam-Rural*): May I know whether they have in any other manner considered the question, either in a special way or in a general way.

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : In a general way.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know the result of that consideration ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : That is given in the answer.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I wish to know from the member whether, in his opinion, this prohibition is in the interest of Travancore or adverse to it.

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : That can be determined only after seeing the result of the notification.

MR. A. THANU PILLAI (*Trivandrum-Rural*) ; Am I to understand then that the Government of Travancore are absolutely in the dark as to the results of these actions ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : The result of the notification is being watched.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : May I know whether it is obligatory on the part of the Travancore Government merely because the Government of India notified in the Gazette, the same should be applied to Travancore ?

DEPUTY PRESIDENT : That is a matter of opinion.

MR. T. P. RAMASUBBA AIYAR (*Nominated*) : Will the member be pleased to say whether there is any rule which makes it obligatory for the Travancore Government to oblige or to follow the Government of India ?

DEPUTY PRESIDENT : I disallow that question.

MR. M. SIVATANU PILLAI (*Tovala*) : Sir, may I know whether—

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : I rise to a point of order. May I know whether one member can rise again for a supplementary question ?

MR. M. SIVATANU PILLAI (*Tovala*) : Before I finished my set of questions, a brother member put his question. So it is not my fault.

DEPUTY PRESIDENT : You have lost your right of asking a supplementary question to this question.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know whether—

DEPUTY PRESIDENT : I wish to make an observation with regard to the nature of supplementary questions. They are intended to elucidate answers relating to facts and not generally with regard to opinions. On the other hand, it is expected that the answers given by the Government members are the answers of Government and that all available information which may be normally collected should be collected and answers based thereon. I believe, if both sides understand this, it will be to mutual advantage.

Floods in Nedumangad taluk.

***MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state :

(*a*) whether they are aware that there were severe floods throughout Nedumangad taluk on the 7th, 8th, 17th and 21st of Kanni 1109 ;

(*b*) whether the floods have not completely damaged the paddy cultivation and caused severe loss to the people ; and

(*c*) whether the Minor Irrigation Department has attended to the improvement of flood-damaged areas in the taluk ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : (*a*) The rains on the 7th, 8th, 17th and 21st Kanni 1109 were heavier than usual, resulting in rise of water in the rivers and *todus*.

(*b*) Owing to the rise of water, a few field bunds breached and there was slight inundation of paddy fields, but no appreciable damage to cultivation or to the standing crops was caused thereby.

(*c*) Statements of irrigation tanks and channels to be repaired by the P. W. D. have been called for and the question of their improvements will be taken up in due course.

MR. S. J. NAIR (*Nedumangad*) : In answer to part (*b*), may I know whether the Government is not aware of the serious damage caused to the paddy fields as a result of floods—

DEPUTY PRESIDENT: Please drop the word 'not' and then put the question.

MR. S. J. NAIR (*Nedumangad*): Is the Government aware -

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The question is whether the Government are aware. That supplies an information and not elucidates. So I wish to know whether the member is in order in asking a question which supplies information instead of elucidating it.

DEPUTY PRESIDENT: Let the question actually come up and then we shall decide.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): It has arisen now. By asking the question whether the Government are not aware, he supplies information and he does not ask for information. I wish to know whether such questions are permissible.

DEPUTY PRESIDENT: That is the very reason why I wanted Mr. S. J. Nair to omit the word 'not' and then put the question.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is that not supplying information?

DEPUTY PRESIDENT: That is a matter of opinion. I said there is considerable difference of opinion between asking whether the member is aware and whether the member is not aware. The latter presupposes some fault in somebody and it is suggestive. This is a thing which Mr. Asan as a lawyer ought to know.

MR. S. J. NAIR (*Nedumangad*): In answering the previous question, may I know whether the answer to part (b) was considered ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That was in Kanni.

MR. S. J. NAIR (*Nedumangad*): For the damages caused in previous floods, was any help rendered ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Yes.

MR. S. J. NAIR (*Nedumangad*): Towards the relief of the ryots, was any help rendered by the Minor Irrigation Department ?

DEPUTY PRESIDENT: I disallow that question.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Government will issue orders to the Minor Irrigation Department to make improvements?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Government have called for statements of irrigation tanks and channels to be repaired by the P. W. D. The question will be considered and orders issued in due course.

MR. S. J. NAIR (*Nedumangad*): Will Government issue early orders?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The matter will be examined.

Shifting of the toll-gate at the 18th mile-stone on the M. C. road.

38. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state :

(*a*) whether they are aware of the existence of two separate toll-gates in Nedumangad taluk at a distance of about 9 miles;

(*b*) whether complaints have been made by the public requesting the shifting of the toll-gate at the 18th mile-stone beyond the 22nd mile-stone in the M. C. road; and

(*c*) whether the authorities intend ordering the immediate shifting of the above toll-gate beyond the 22nd mile stone in the M. C. road?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) Yes.

(*b*) No.

(*c*) No.

MR. S. J. NAIR (*Nedumangad*): May I know what is the rule that guides the location of two separate P. W. D. tolls and the distance between these tolls?

DEPUTY PRESIDENT: Probably the member wants information about toll gates. (*Laughter*)

MR. S. J. NAIR (*Nedumangad*): Yes, Sir. May I know whether two separate toll-gates could be opened in the same taluk?

MR. L. H. JACOB (*Ag. Chief Engineer*): Yes.

MR. S. J. NAIR (*Nedumangad*): May I know whether there is any taluk in the State, except Nedumangad taluk, where there are two separate toll gates.

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know whether it is not hard for the bus owners to pay two tolls in the same taluk?

DEPUTY PRESIDENT: I disallow that question.

MR. S. J. NAIR (*Nedumangad*): Because of the existence of one toll-gate, can the P. W. D. contractor be permitted to open a branch of the toll-gate?

DEPUTY PRESIDENT: I disallow that question also.

MR. S. J. NAIR (*Nedumangad*): May I know the principles on which toll-gates are started?

MR. L. H. JACOB (*Ag. Chief Engineer*): The principle adopted in the establishment of toll-gates is that they are so arranged that we try to tap all traffic on the roads for a considerable distance.

MR. S. J. NAIR (*Nedumangad*): May I know whether the principle could not be achieved without overburdening the bus owners?

DEPUTY PRESIDENT: The question is disallowed. Over-burdening is a matter of opinion.

MR. S. J. NAIR (*Nedumangad*): May I know the objection, if any, for the Government in shifting the toll-gate that is mentioned in the question to a distance of two miles to the north?

MR. L. H. JACOB (*Ag. Chief Engineer*): Toll-gates cannot be shifted in the middle of a year after the auction has been conducted for the whole year. That question may be considered later on.

MR. S. J. NAIR (*Nedumangad*): May I know whether exemption could not be granted to bus owners from the payment of toll at one gate?

MR. L. H. JACOB (*Ag. Chief Engineer*): Yes.

MR. M. SIVATANU PILLAI (*Tovala*): May I know from the member whether vehicles levied with toll at one particular gate are also levied with toll while they pass on the same day through another gate?

MR. L. H. JACOB (*Ag. Chief Engineer*): Yes, unless those two gates are bracketted together.

MR. M. SIVATANU PILLAI (*Tovala*) May I know whether the two toll-gates referred to are entirely different gates which have nothing to do with each other *i. e.*, they are not inlet and outlet gates?

MR. L H. JACOB (*Ag. Chief Engineer*): I do not quite understand.

MR. M. SIVATANU PILLAI (*Tovala*): Am I to understand the member that, of the two gates referred to by him, one is a gate which lets vehicles through a particular place and the other gate is a gate which will allow the vehicles to pass out?

MR. L. H. JACOB (*Ag. Chief Engineer*): I do not understand to which gates the member refers. If they are the Nedumangad toll-gates, they are separate gates.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether vehicles are levied with toll at both gates though passing through them on one and the same day ?

MR. L. H. JACOB (*Ag. Chief Engineer*); That is just the same question which I have replied. If the gates are totally different gates and are not bracketted together, separate toll fees are levied.

MR. M. SIVATANU PILLAI (*Tovala*): In this instance, are the gates different or not?

MR. L. H. JACOB (*Ag. Chief Engineer*): They are separate.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is there any minimum distance prescribed between two toll-gates in the State?

MR. L. H. JACOB (*Ag. Chief Engineer*): There is no minimum actually prescribed but we try to put the gates about a distance of 40 to 50 miles apart. And on that principle, on a road like the Trivandrum—Shencotta Road, we have got one toll-gate.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): In view of the principle so far observed by Government, am I to understand that the distance between these two toll-gates is ranging from 40 to 50 miles?

MR. L. H. JACOB (*Ag. Chief Engineer*): Those two toll-gates are different roads. They are not that distance apart when taking cross-roads.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : So, am I to understand that the principle enunciated has been violated in this particular instance ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : No. I do not think so.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : So, am I to understand that the distance between the two tolls is between 40 and 50 miles ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : These are different roads. I would ask Mr. Krishna Pillai to refer to the map. It is rather impossible in Travancore to put toll-gates on a definite principle, for many important roads cross each other and we have to take into consideration the traffic that runs through those roads in fixing the toll-gates.

MR. S. J. NAIR (*Nedumangad*) : May I know the distance between the toll-gates at Karamana and Navaikulam ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Does that arise as a supplementary question?

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) : May I know whether toll-gate contractors can open sub-gates also?

MR. L. H. JACOB (*Ag. Chief Engineer*) : They cannot open sub-gates other than those they are permitted to open.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) ; If sub-gates are opened, are not vehicles passing through small distances also liable to pay tolls ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Vehicles passing for the first time through that gate have to pay toll.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know whether the same buses do not pass through the same gate in the course of the same journey in the same day ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Yes, they can pass in the same day.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : It was said that these two gates are on different roads. As the members are not loud enough, it is difficult to gather answers. I understood the member to say that these two tolls are on different roads. So I wish to know whether the same buses pass on the same day through the same gates in the same journey.

MR. L. H. JACOB (*Ag. Chief Engineer*) : Yes, they can pass in the same day.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : So, Sir, I wish to ascertain the cost to the bus owners by way of toll-gate fee.

DEPUTY PRESIDENT : You are asking the question with reference to Nedumangad toll-gate?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Yes.

MR. L. H. JACOB (*Ag. Chief Engineer*) : I have not gathered what you mean.

DEPUTY PRESIDENT: The member is not able to understand what you say.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I am not able to make it more clear.

MR. L. H. JACOB (*Ag. Chief Engineer*): If the member means through service through one gate and then through the other in the same day he will have to pay at each toll-gate.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I wish to know whether the member is aware that buses having through service now pass through these two gates in the same day.

MR. L. H. JACOB (*Ag. Chief Engineer*): I am not aware of that.

MR. A. THANU PILLAI (*Trivandrum-Rural*): That is the information I wanted.

DEPUTY PRESIDENT: I object to that comment.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I wish to know whether there is a rule fixing the distance between two toll-gates in the State.

MR. L. H. JACOB (*Ag. Chief Engineer*): No rule.

DEPUTY PRESIDENT: I think we have sufficiently discussed the matter. We shall proceed to the next.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I want to ask one question.

DEPUTY PRESIDENT: I consider further questioning unnecessary on this subject.

MR. K. R. ELENKATH (*Kalkulam I*): Is it a ruling that before the time expires the members cannot ask for information?

DEPUTY PRESIDENT: Certainly not. The expiry of time has nothing to do with what is considered relevant and what is considered necessary. The Chair thought that this matter had been sufficiently explained.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): A point of order, Sir. Before hearing me or my question, how can the Chair decide whether it is relevant or not?

DEPUTY PRESIDENT: You are not expected to make any comment on the ruling.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I am rising to a point of order, Sir, whether, it can be a ruling that the Chair can decide the nature of a member's question, before hearing him.

DEPUTY PRESIDENT: It is a question which the Chair knows, is asked after time.

Nomination of Municipal Councillors.

39. ***MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state the principles followed by them in the matter of nominating Municipal Councillors from communities which have no chance of representation by election?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The principle kept in view is to give, as far as possible, fair representation to the communities unrepresented by the elections.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): As between those communities, is there any preference given to particular communities?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is all the principle the Government have in view. As far as possible, those communities which are least represented will be given representation.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*); May I know what sort of representation is given to communities which do not get any representation whatsoever even at the same time?

RAO SAHIB DR. N KUNJAN PILLAI (*Ag. Chief Secretary to Government*): We take them by rotation, first one community, then another and so on.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*); May I know whether, there is any rule as to the rank in the course of rotation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. (Chief Secretary to Government*): Government decide each case on its merits.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether the depressed classes are given adequate representation in Municipal Councils?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): As far as possible, they are.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member—

DEPUTY PRESIDENT; You are too late.

Muslim Graduate applicants for appointment in the Education Department.

40. ***MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state the number of graduate Muhammedans who have applied for appointment in the Education Department during the past five years?

MR. R. M. STATHAM (*Director of Public Instruction*): Thirt y

Opening of the Chauganacherry Allppey Canal

41. ***MR. KAINIKARA M. PADMANABHA PILLAI** (*Changanachery I*): Will the Government be pleased to state:

(*a*) what sum has been spent upon the Changanachery-Alleppey canal;

(*b*) how much more will be required to complete it;

(*c*) when the work was begun;

(*d*) when the work was stopped;

(*e*) why the work was stopped; and

(*f*) whether the Government have altogether abandoned the scheme?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) A sum of Rs. 4715-0-6 has been spent.

(*b*) About Rs. 25,000 more will be required to complete the canal excluding the value of the Kandukrishi lands.

(*c*) The work was started in 1103.

(*d*) The work was stopped in 1106.

(*e*) The work was stopped since the interested ryots were not willing to surrender the lands required free of cost, and also in view of the general economic depression.

(*f*) No.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know whether there was a previous promise on the part of the owners that the lands would be surrendered free ?

MR. L. H. JACOB (*Ag. Chief Engineer*): I do not catch the point.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know whether the ryots had undertaken to give the lands free before the beginning of the canal work ?

MR. L. H. JACOB (*Ag. Chief Engineer*): I am not aware.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): With reference to answer to part (*e*), the member said that the ryots were not willing to keep their promise. May I know whether--

DEPUTY PRESIDENT: Do not say like that. You may merely put your question.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): With reference to answer to part (*e*), there are two parts. The first part of the answer says that the roybs did not keep their promise. I want to know whether the ryots failed to keep their promise before the work was begun ?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir, the member himself says that there was a promise.

DEPUTY PRESIDENT: He claims notice and you cannot question his right.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Can a member claim notice for a notified question ?

DEPUTY PRESIDENT: He claims notice and there is an end of the matter. The procedure is that, if any member wants any further information, he should raise the question on a future occasion.

MR. S. J. NAIR (*Nedumangad*): May I know whether the ryots objected to the surrender of the lands free of cost after the sum of Rs. 4 715 was already spent ?

MR. L. H. JACOB (*Ag. Chief Engineer*): The estimate was divided into three sections and money was spent on a section where the land was available. In the other sections the land-owners were not willing to give their lands free of compensation, and so the work had to be dropped.

MR. S. J. NAIR (*Nedumangad*) : May I know whether the amount of Rs. 4,000 was spent on that section in which land was obtained free of compensation?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Yes, in that portion land was available.

MR. S. J. NAIR (*Nedumangad*) : In that case, was there any surrendering of lands free of cost?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I have no information on that point.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : May I know why the scheme was begun without taking possession of the whole land in possession of the department?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I claim notice.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : With reference to answer to part (*f*), may I know the conditions under which the question will be taken up once again?

MR. L. H. JACOB (*Ag. Chief Engineer*) : The condition under which the work will be taken up is when the people will surrender the whole land required for the canal free of cost. When the Government found that interested ryots were not willing to surrender their lands free of cost, they said that the matter must lie over for the present, and reconsidered when the necessary lands and funds are available.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : May I know from the member whether the Government consider that work as one of the urgent works in North Travancore?

MR. L. H. JACOB (*Ag. Chief Engineer*) : No, that is a matter of opinion. If the people are not anxious to surrender their lands, we cannot say that the work is an urgent one.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : Do *Government* consider it as an urgent matter?

DEPUTY PRESIDENT : He began his answer by saying "No."

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Was it the intention of Government to complete the whole work of Sections A, B and C, when they started the work?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : May I take it that the Government thought that the whole work will not be of any practical use to the people if the whole work is not completed or whether the completion of Section A will be useful to some people, Section B to some other people and Section C to the rest?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I claim notice. I have not got any information.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether the sum of Rs. 4,000 already spent has brought any benefit to the public?

MR. L. H. JACOB (*Ag. Chief Engineer*): Speaking on my own behalf, I may say that I have not inspected the place.

DEPUTY PRESIDENT: The member need not answer on his own behalf. He may answer on behalf of Government, if he is in a position to do so.

MR. L. H. JACOB (*Ag. Chief Engineer*): Then I claim notice.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Was any undertaking taken from the people that the lands will be given free of cost before the work was begun?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Sir, that question has already been answered.

DEPUTY PRESIDENT: Not in that form.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether Government had taken any undertaking from the ryots that the lands would be surrendered free of cost before they began to invest public funds?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether Government thought that they would be investing no additional funds without the lands being surrendered free of cost by the people, or was it an undertaking started by Government in the hope that the Government would defray all the land acquisition charges and complete the work?

MR. L. H. JACOB (*Ag. Chief Engineer*): Sir, this is a matter of long standing, and I have been looking through a long list of files and yet I have not got any information.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Am I to take it that he claims notice?

DEPUTY PRESIDENT: Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know when the question of the surrender of the land was first considered by Government?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. N. E. VARUGHESE (*Tiruvalla I*): വെട്ടിയിടത്തോളമുള്ള തോട് ഇപ്പോൾ ഡിപ്പാർട്ടുമെൻറിൻെറ അധീനത്തിലിരിക്കുന്നോ അതല്ല തോടുവെട്ടുന്നതിനു സ്ഥലംകൊടുത്ത സ്ഥലം ഉടമസ്ഥന്മാരുടെ അധീനതയിലിരിക്കുന്നോ?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

Recommendations of the Statham Committee.

42.* **MR. S. CHATTANATHA KARAYALAR** (*Shencotta*): Will the Government be pleased to state what recommendations of the Statham Committee have been accepted by them and given effect to?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The following recommendations have been accepted by Government:—

1. Creation of the post of Deputy Director of Public Instruction (Chapter I, No. 13).
2. Strengthening of the office staff of the Director of Public Instruction (Chapter I No. 15).
3. Reconstitution of the School Leaving Certificate Board with enlarged functions (Chapter V, No. 33, para 5).
4. Reconstitution of the Text-Book Committee (Chapter V, No. 33).

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether the recommendations so far accepted by Government are minor recommendations made by the Committee?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes. Some of them are treated as minor by Government.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Only *some?*

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): In the case of some of these recommendations, Government could not wait any longer to carry them out, *e. g.*, the constitution of the Text-Book Committee and the School Leaving Certificate Board. The current school year is coming to a close and text-books have to be prescribed for the next year. The School Final Examination is fast approaching and the Examination Board has to be appointed. To deal with the increased correspondence in his office, the Director of Public Instruction wanted the staff to be strengthened. He also urged the necessity of appointing the Deputy Director immediately. The above recommendations were therefore sanctioned by Government.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether these recommendations were considered minor by Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is a matter of opinion. Some may consider them as major, while others may regard them as minor.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I point out to the member that an undertaking was given on the floor of this House by the Chief Secretary to Government that only minor recommendations will be accepted by Government and that this House will be given an opportunity of discussing the major recommendations.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I think that the promise given was that an opportunity will be given to the members to discuss the recommendations of the Committee and that Government will not, as far as possible, give effect to the

major recommendations before they have been discussed by the Legislature. That was the promise given by the Chief Secretary and I think Government have kept the promise.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether the words "as far as possible" were used?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The proceedings are not with me. I do not remember the exact words used. However, Government have accepted some recommendations which they thought should be given effect to immediately.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether the recommendations that were given effect to by the Government were minor?

DEPUTY PRESIDENT: The Government member has already given an answer as to what is thought major and what is minor.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether Government gave an undertaking on the floor of this House that only minor recommendations will be carried out by Government and an opportunity will be given for the members of this House to discuss the major recommendations of the Committee?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I have answered that question as far as I could. The proceedings of the last Council are not now with me.

MR. K. R. ELENKATH (*Kalkulam I*): May I know when the Text-Book Committee was formed last year?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Last year there was a lot of complaint about the composition of the Text-Book Committee. The Government wanted to appoint a committee for this year and they could not wait till the question was discussed in this House.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): As a result of the recommendation of this House—

MR. K. R. ELENKATH (*Kalkulam I*): Sir, I have not finished my questions.

DEPUTY PRESIDENT: A considerable time has elapsed since you put your last question.

MR. K. R. ELENKATH (*Kalkulam I*): Mr. Sambasiva Aiyar began his question when I was still on my legs.

DEPUTY PRESIDENT: You say it was before you sat down that Mr. Sambasiva Aiyar began his question. In that case I allow you to continue your questions.

MR. K. R. ELENKATH (*Kalkulam I*): My question is who was responsible for the selection of text-books last year?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That question was answered in this House on a previous occasion.

DEPUTY PRESIDENT : That question may still be asked.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secr tary to Government*) : It was said on that occasion that the selection was made by the Director on the advice of the Inspectors of Schools.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether any Committee was informally formed for the selection of text-books ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I do not think that there was any committee like that.

MR. R. SAMBASIVA AIYAR (*Kunnathnad II*) : May I know whether, as a result of the discussion and decision of this House on the recommendations of the Committee, Government would reconsider their decision on any of those points ? I want to know whether the orders of Government are final or temporary.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : In regard to the Text Book Committee, I may say, Sir, that the Committee has been constituted only provisionally for one year though the Report recommends that the Committee, when formed, must last for three years. This provisional arrangement was necessary because text-books for the next year have to be selected and approved very soon.

As regards the constitution of the School Leaving Examination Board—

DEPUTY PRESIDENT : Question time is over.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Are we to continue this question tomorrow ?

DEPUTY PRESIDENT : That is a point covered by the rules.

PANEL OF CHAIRMEN.

DEPUTY PRESIDENT : I have pleasure to announce that, under Rule 3 (2) of the Legislative Rules, the President has nominated Mr. P. Chidambaram Pillai and Mr. Antony George to form the panel of chairmen for this session.

DEMANDS FOR SUPPLEMENTARY GRANTS.—(*contd.*)

MR. R. M. STATHAM (*Director of Public Instruction*) : Sir, I rise to move for a grant not exceeding Rs. 2,000 for the payment of lodging allowance to Mr. A. Sivaramasubrahmanya Aiyar, M. A., Assistant Professor of English, on leave, undergoing higher studies in England.

I may briefly explain, Sir, the need for this grant. It is, in effect, to give study leave allowances to this Assistant Professor who has proceeded to the London University to obtain a higher degree in English. We have, in the departmental colleges in Travancore, very few Professors with higher qualifications in English. The members will realise that, till comparatively recently, the English Professors in our colleges were Europeans recruited from England or abroad. It was thought

[Mr. R. M. Statham.]

desirable, therefore, that this Assistant Professor, who had leave to his credit and who has proceeded to England to get higher qualification, should be paid study leave allowance. Government consider that this Assistant Professor is eminent suitable for this leave allowance by virtue of his qualification, seniority and age. It may be suggested that Travancoreans with European qualifications in English may be available for direct recruitment for our colleges. But it is obviously not desirable that senior officers of the department who have teaching experience, who are prepared to go to England for higher qualification and who have leave to their credit for that purpose, should be superseded by fresh recruits with English qualification. Government, therefore, have thought it desirable that this Assistant Professor may be granted this lodging allowance of ten shillings per diem during the period of his stay in England. The present demand of Rs. 2,000 is intended for the current year. I may say that this Assistant Professor has been granted leave for two years.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether there have been previous demands by Professors or Assistant Professors for similar assistance from Government?

MR. R. M. STATHAM (*Director of Public Instruction*): There have been similar cases, and Government have sanctioned leave allowance in some cases.

MR. K. R. ELENKATH (*Kalkulam I*): May I know—

DEPUTY PRESIDENT: Mr. P. K. Narayana Pillai has not finished.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Were such applications for assistance invariably allowed in the past?

MR. R. M. STATHAM (*Director of Public Instruction*): Not in all cases, Sir; no.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Was there a similar demand from another Assistant Professor for further studies in English itself?

MR. R. M. STATHAM (*Director of Public Instruction*): Not simultaneously with this application.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Was there any application at all, at any time, though not simultaneously with this?

MR. R. M. STATHAM (*Director of Public Instruction*): I believe, Sir, that in the course of so many years, there have been several applications of the kind.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Were they allowed or rejected?

MR. R. M. STATHAM (*Director of Public Instruction*): I have already answered that, Sir.

DEPUTY PRESIDENT: The answer was not clear.

MR. R. M. STATHAM (*Director of Public Instruction*): Allowance has been sanctioned in some cases and has not been sanctioned in some other cases.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether the Government took the trouble to ascertain from this Assistant Professor whether he was prepared to go at his own expense?

MR. R. M. STATHAM (*Director of Public Instruction*) : He has already gone at his own expense in the sense that he has taken leave without any study allowance.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know the principle upon which some applications for such allowance are sanctioned and others rejected?

MR. R. M. STATHAM (*Director of Public Instruction*) : It is impossible to give a general principle because it depends on so many factors. But I can give an answer that, naturally, it largely depends upon whether Government require higher qualification in the particular individual and for the particular subject.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I ask whether, if they find necessity for higher qualification in a particular officer for a particular subject, they always allow applications for such help?

MR. R. M. STATHAM (*Director of Public Instruction*) : I imagine so, Sir; but I cannot say whether it has always been done.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Anyhow the member said that, in certain cases, such applications were disallowed. Am I to understand that, in those cases, there were men with higher qualifications already in service?

MR. R. M. STATHAM (*Director of Public Instruction*) : I imagine, Sir, that the reason for disallowing such applications must have been finance or that the particular qualification sought for was not necessary for the department at the time.

MR. A. S. DAMODARAN ASAN (*Mavelikara*).: May I know from the member the details of the qualification of the applicants who were refused the concession and the circumstances under which the applications were refused?

MR. R. M. STATHAM (*Director of Public Instruction*) : No, Sir; I do not know the details of past applications.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I ask whether Government have promised lodging allowance to this Assistant Professor?

MR. R. M. STATHAM (*Director of Public Instruction*) : It was not possible to promise it, because it was subject to the vote of this Assembly.

DEPUTY PRESIDENT : What Mr. Abdur Rahiman wants to know is whether the Government have promised or not.

MR. R. M. STATHAM (*Director of Public Instruction*) : The answer, Sir, is 'no'.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : May I know whether it is one of his prayers in his leave application that he must be granted this allowance?

MR. R. M. STATHAM (*Director of Public Instruction*) : He certainly requested for that.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : Have the Government given him any hope?

MR. R. M. STATHAM (*Director of Public Instruction*) : May I know from you, Sir, whether, since I have completed my speech, I have to go on answering all these questions ?

DEPUTY PRESIDENT : When members put you questions for information on specific points you have to answer them.

MR. R. M. STATHAM (*Director of Public Instruction*) : I am very willing to answer any question, Sir ; but, as a matter of procedure I want to know whether, since I have completed my speech, I have to answer all these questions.

DEPUTY PRESIDENT : If members put you specific questions, you may have to answer them so long as you have not sat down.

MR. R. M. STATHAM (*Director of Public Instruction*) : I have already stated, Sir, that no promise was given to the applicant.

DEPUTY PRESIDENT : What Mr. Abdur Rahiman wants to know is whether Government have given him any *hope* ; apparently, he draws a distinction between *hope* and *promise*.

MR. R. M. STATHAM (*Director of Public Instruction*) : The fact that the Government were prepared to come to this Assembly with this demand shows that they have given him some hope.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : I want to know definitely whether—

DEPUTY PRESIDENT : You need not have the word 'definitely'. It is enough if you put your question.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : I want to know whether this Assistant Professor was given any hope by Government that they would consider his prayer for lodging allowance.

DEPUTY PRESIDENT : He has already answered that question.

MR. S. J. NAIR (*Nedumangad*) : At whose instance was he given hope ?

DEPUTY PRESIDENT : That question need not be answered.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I wish to know whether Mr. Statham has ceased to be in possession of the House.

DEPUTY PRESIDENT : I thought he sat down because another member was on his legs.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member the salary of this Assistant Professor ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Rs. 300.

MR. S. J. NAIR (*Nedumangad*) : May I ask why, when they recruited hands for the English department of His Highness the Maha Raja's College, they did not appoint men with higher European qualification ?

DEPUTY PRESIDENT : That question does not arise now.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I oppose the demand. It has been admitted by the Director of Public Instruction that Travancoreans with suitable qualifications are available for the post to get qualified on which this Assistant Professor has gone to England.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Is not the member aware that Mr. Sivaramasubrahmanya Aiyar is a Travancorean?

DEPUTY PRESIDENT: Mr. Chandrasekharan, since you have raised the question, I may tell you that the view taken by Mr. Krishna Pillai seems to be that he meant Travancoreans with the requisite European qualification.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Thank you, Sir; that was just what I meant.

In view of the admission by the Director that there are now available, in Travancore, Travancoreans with European qualifications, there is absolutely no reason why the Government should go out of their way and spend public money for getting some person qualified from some European University for the post under reference. It is clear from the Director's statement that there are qualified hands.

MR. M. SIVATANU PILLAI (*Tovala*): When the member speaks of 'qualified' hands, does he refer to qualifications in an English University?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Yes.

Sir, I rely upon the definite statement made by the Director that qualified hands *are* available. Therefore, it will be a dangerous precedent if those who are already in service are allowed to take their own time to get themselves qualified and are even financed by Government to qualify themselves for higher posts, when men with superior English qualifications, who never thought of troubling the Government with any demand for help for their higher studies in England, are available for recruitment. It will certainly be a dangerous precedent if we allow such officers concessions similar to that now asked for on behalf of this Assistant Professor. Also, in answer to a question by Mr. Abdur Rahim, it has been made clear by the Director that Government have not given any hope to this gentleman. Therefore, he must have gone to England on his own responsibility, finding and hoping to find his own funds for completing his studies in England and for paying lodging allowance and all other dues of the kind.

MR. S. J. NAIR (*Nedumangad*): May I know whether the member has any objection to a loan being granted to this Assistant Professor?

DEPUTY PRESIDENT: That question need not be answered; it does not arise.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Therefore, Sir, on these two grounds, namely, that it will be a dangerous precedent and that the officer was not given any hope when he left for England, I oppose the demand being sanctioned.

MR. K. R. ELENKATH (*Kalkulam I*): Sir, I also rise to oppose the demand. I do not quite appreciate the argument that fresh English University men, if available, should be placed above experienced hands already in service in the college, but I cannot see the propriety of any Professor or Assistant Professor being singled out and financed by Government for acquiring English University qualification. I certainly give weight to the argument of Mr. Statham that the claims for promotion of senior men in the college should be given due consideration

[Mr. K. R. Elenkath.]

by the department and by the Government. But that is no reason why Government should pay lodging allowance to any particular Assistant Professor. He can very well meet his expenses in England from his own pocket. My only contention is that Government money should not be spent for any individual for securing higher qualification in England or anywhere else.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I also oppose this demand for Rs. 2,000. I oppose it mainly on two or three grounds. One is the admission made by the Director that qualified Travancoreans are available. Another is the admission by Government that in certain cases applications for such allowances have been refused by Government and the inability of the Director to give us details of the circumstances under which those applications were refused. The third ground is this. This is not a technical subject. This is not a subject in which we should advance amounts to persons for prosecuting studies in a foreign land. If it is a technical subject, a number of qualified persons in which is absolutely necessary for the economic development of our land, I can understand the granting of such help to these persons. But this is not such a case, and I think that the showing of such invidious distinction between one person and another serving the Government in the same position is likely to cause much discontent and heart-burning to the service. On these grounds, I oppose the demand.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I oppose this demand on the very simple ground that we cannot afford to pay. The cry has all along been that the department of education has become top-heavy and especially in a matter like this where a particular person has to be given a concession for benefiting himself and that only in a matter of general study, that is, to enable the gentleman to go in for higher education in English, we should refuse to grant it. I can understand if, for some special training in some technical subject which is not ordinarily accessible to all persons, Government may be justified in making this concession. But it is not at all justifiable on the part of the Government to give the present concession to this gentleman. Further, it is likely to create a sort of invidious distinction between one applicant and another and that will cause unnecessary heart-burning as one of my friends mentioned just now. So, Sir, I oppose this demand, and I hope that all my friends will agree in turning down this demand.

MR. S. J. NAIR (*Nedumangad*): Sir, I oppose this demand. The public fund is not to be wasted like this. This sets up a very bad precedent. I understand from the official member that the Assistant Professor gets a salary of Rs. 300. So he can very well apply for a loan from Government, and if Government are willing, they may grant him the loan instead of bringing such a motion before this House.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Does the member think that he should also give some security for the loan?

MR. S. J. NAIR (*Nedumangad*): Yes,

DEPUTY PRESIDENT: The question is out of order and the answer equally so. Mr. S. J. Nair resumed his seat before the question was put

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Sir, there seems to be a general impression on the non-official side of the House that Mr. Sivaramasubrahmanya Aiyar has gone to England entirely and solely in his own interest. That is not a fact. Competent people have repeatedly expressed the view that the teaching of English in the colleges in Travancore is in need of improvement. As the Director remarked, until a few years ago, the teaching of English in the colleges in Trivandrum was in the hands of very competent and very highly qualified Europeans. For one reason or another, those Europeans disappeared and the teaching of English fell more and more into the hands of Indians. The University General Inspection Commission of 1928 remarked that for such a large college as the Science College there should be at least two Professors of English. Following up their recommendation, the Principal of the college at the time, Mr. Pryde, remarked that no improvement in the teaching of English can be expected if we merely follow the regular rule of seniority and promote the most Senior Assistant Professor as Professor. If this improvement is to be effected, we have to appoint either a well qualified and experienced European or an Indian with western qualifications and training.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from the member whether there was an application by an Assistant Professor, by name Mr. Sivarama Pillai, for assistance to get himself qualified in England in literature?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Pubic Instruction*): There was, Sir, about four or five years ago.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Was it after the recommendation of the University Committee in 1928?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Pubic Instruction*): I cannot say exactly whether it was just before or after the University Commission's Report. I shall deal with it in the course of my speech, and I hope that Mr. Narayana Pillai will bear with me for a few minutes.

Well, Sir, Mr. Pryde proceeded to say that it was extremely unlikely that a European would be available for the salary offered in Travancore and therefore he recommended that an Indian with western qualifications and training should be appointed. In some respects, Sir, I believe that an Indian with western qualifications and training will be superior to a European for the teaching of English, provided that the Indian has got experience of teaching under Indian conditions and especially as we can expect an experienced Indian to have some genuine insight into the difficulties of Indian students. However that may be, the question of appointing a European cannot be seriously considered, as the salary offered to a Professor is low according to European standards.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether Mr. C. V. Chandrasekharan had any experience in teaching when he was appointed Professor in English?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : Yes, I had about a year's experience as a Lecturer.

Well, Sir, if that position is accepted, if the opinion of the Universty Inspection Commission is to be accepted, if the opinion of successive Principals of the Science College, Mr. Pryde, myself and Mr. Moudgill, is to be accepted, that the teaching of English in the Science College is in need of improvement and that for this purpose an Indian with western qualification and training should be appointed, it follows, Sir, that an Indian with western qualification and training should be appointed. Now, the question arises whether there are not qualified Travancoreans. Well, there are Travancoreans with western qualifications. But in my opinion, they are not fit for appointment over the heads of senior Assistant Professors. Mr. Sivaramasubrahmanya Aiyar is not the only person affected. There are a number of senior Assistant Professors including Mr. Sivarama Pillai who is also a first-class Honours man, who are affected.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Is it for want of qualification that they are passed over ?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : They are not passed over. The question before the Assembly is the question which faced the Government, namely, are we to appoint a man, who has just returned from England and who may be only 24 or 25 years of age, over the heads of Senior Assistant Professors, or are we to select the best among the Senior Assistant Professors and send him for training to England.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : What happened to Mr. Gopala Menon when he returned after qualifying in England ?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : To avoid such mistakes as may have occurred in the past, the present arrangement is sought to be made.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Was anybody appointed to supersede his claim ?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : Granting for the sake of argument that the Government made a mistake in 1910, it does not follow that the Government should make the same mistake now.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : May I take it that Government concede that what they did was a mistake ?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : My view, Sir, is—

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I am asking not the member's view, but the view of the Government. Are the Government now at least prepared to concede that what they did then was a mistake ?

DEPUTY PRESIDENT : Mr. Chandrasekharan does not seem to represent Government.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): The answer to my question has not been supplied.

MR. R. M. STATHAM (*Director of Public Instruction*): On a point of order, Sir, does Mr. Krishna Pillai's question legitimately arise out of the discussion on this grant that I have moved?

DEPUTY PRESIDENT: His question is relevant.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Well, Sir, that was the question—

DEPUTY PRESIDENT: You have already taken some time and you will have only three minutes more.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) Well, Sir, that was the question before Government and Government decided, I think, fairly that the seniormost among the Assistant Professors, who is fit by his qualifications and by his record, should be sent for training for this purpose. Mr. Sivaramasubrahmanya Aiyar is only thirty-six years of age, and has nearly twenty years' service more and what is now asked for is study leave. Study leave was granted to Mr. T. K. Koshy. He was appointed as Professor on probation and sent at Government expense on study leave. Sir, study leave means half salary and ten shillings allowance per diem.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member—

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Please do not interrupt me. I shall explain everything in the course of my speech. What we are asking for is only the ten shillings allowance and not half salary because he is eligible for leave on half salary. For Mr. Koshy we paid half the salary and also the ten shillings allowance. But Mr. Sivaramasubrahmanya Aiyar is eligible for leave for 2 years on half salary and he has gone on that leave. In any case, whether he is to be granted study leave or not, he has gone and his training in England will be to the direct advantage of Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will one mistake justify another?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): It is only the allowance of ten shillings that is now asked for. I think, Sir, it will be extremely unfair to a senior officer with such excellent record to be refused even this allowance which had been granted in the past to other officers who were in a similar position.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member what Mr. Koshy's age was when he was sent to England?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Thirty-two or thirty-three, I believe. I know that there have been cases in the past when study leave was refused. But in this matter of English qualifications, the policy of Government has not been continuous and consistent. Now, the policy of His Highness's Government, so far as I can see, is to prefer Indians with western qualifications

[Mr. C. V. Chandrasekharan.]

and training for professorships and the policy which is now followed is the policy which is followed in Mysore and in Madras and in other parts of India to recruitment to the higher grades of work in the colleges. In Mysore, Sir, three or four years before a vacancy is due to arise, they choose the best among senior men and send himto England for training and when he comes back, he is appointed as Professor.

DEPUTY PRESIDENT: Your time is up.

MR. N. E. VARUGHESE (*Tiruvalla I*): സർ, ഞാൻ ഈ ധനാഭ്യർത്ഥനയെ എതിർക്കുന്നു. ഗവൺമെൻറുഖജനാവിൽ നിന്നു പണംകൊടുത്തു ആളുകളെ പഠിപ്പിച്ചുവരുത്തി ഗവൺമെൻറാവശ്യം നിറവേററേണ്ട ഒരു കാലമല്ല ഇതു്. സ്വന്തം പണം ചെലവുചെയ്തു പാശ്ചാത്യരാജ്യങ്ങളിൽ പോയി ഏതുതരത്തിലുള്ള ഉപരിപഠനംവേണമോ അതും അതിനപ്പുറമുള്ള പഠനവും കഴിഞ്ഞുവരുന്നതിനു ഇപ്പോൾ ധാരാളം ആളുകളുണ്ടു്. അങ്ങനെ പഠനം കഴിഞ്ഞു ധാരാളമാളുകൾ വന്നുകൊണ്ടിരിക്കയും ചെയ്യുന്നു. ഇങ്ങനെയുള്ള ഒരു സന്ദർഭത്തിൽ ഗവൺമെൻറുപണം ചിലവുചെയ്തു് ഒരാളെ പാശ്ചാത്യരാജ്യങ്ങളിലേക്കയക്കേണ്ട ആവശ്യമില്ല. പോരെങ്കിൽ ഗവൺമെൻറിൻെറ ഖജനാവു നാൾക്കുനാൾ ശോഷിച്ചുവരികയുമാണു് ചെയ്യുന്നതു്. ഇപ്പോൾ ഇംഗ്ലണ്ടിലയക്കാൻ ഉദ്ദേശിച്ചിരിക്കുന്നയാളിനു സ്വന്തം പണം ചെലവാക്കി പഠിക്കാൻ പ്രാപ്തിയില്ല, ഗവൺമെൻറുപണം ചെലവാക്കിയാലേ ഈയാളിൻെറ ഉന്നതപദവി ഗവൺമെൻറിനു ലഭിക്കുകയുള്ളു എന്നും മററുമുള്ള സംഗതിയെപ്പററി യാതൊന്നും ഈ സഭമുമ്പാകെ കാണിച്ചിട്ടില്ല. അതിനാൽ ഇതനാവശ്യചിലവാണു്, അനുവദിക്കാൻ പാടുള്ളതല്ല.

MR. C. V. KUNJU RAMAN (*Nominated*): സർ, ഇവിടെ ഇതേവരെനടന്ന വാദപ്രതിവാദത്തിൻെറ സ്വഭാവമറിഞ്ഞതിൽ—

DEPUTY PRESIDENT: അല്പംകൂടി ഉറക്കെ പറയാമോ?

MR. C. V. KUNJU RAMAN (*Nominated*): ഇന്നു് നിവർത്തിയില്ല. ഇതേവരെ നടന്ന വാദപ്രതിവാദത്തിൻെറ സ്വഭാവമറിഞ്ഞതിൽ യോഗ്യതയില്ലാത്ത ഒരാളിനെ യോഗ്യതയുള്ള ഒരുവനെ നിയമിക്കേണ്ട ഉദ്യോഗത്തിൽ നിയമിക്കുക, നമ്മുടെ ചിലവിന്മേൽ പാശ്ചാത്യരാജ്യങ്ങളിലയച്ചു യോഗ്യതയുണ്ടാക്കി വരുത്തിക്കൊള്ളുകയാണു നയമെന്നു തോന്നുന്നു. ഇതു ഒരു നല്ല നയമല്ലാത്തതുകൊണ്ടു ഈ ഡിമാൻഡിനെ എതിർക്കാതെ നിവൃത്തിയില്ല. പരിപൂർണ്ണയോഗ്യതയുള്ളവരെ നിയമിക്കേണ്ട കാളേജിലെ നിയമനം ഇങ്ങനെ അപൂർണ്ണയോഗ്യതക്കാരെ നിയമിക്കുക,

പിന്നീട് അവക്ക് യോഗ്യത വരുത്തിക്കൊള്ളുക എന്നമട്ടിൽ അയക്കുന്നതു വിശേഷിച്ചും കഷ്ടമാണ്.

ഇപ്പോൾ ൨,൦൦൦ രൂപാ കൊടുക്കാമെന്നുദ്ദേശിക്കുന്നതു സ്വന്തചിലവിന്മേൽ പോയി പഠിച്ചുവരുവാൻ പ്രാപ്തിയുള്ള ഒരാളിനാണ്. പഠിച്ചുവന്നാൽ ൨,൦൦൦ രൂപയിൽ കവിഞ്ഞ ആദായം കിട്ടാനുംവഴിയുള്ള ആളാണ്. അതിനാൽ ഗവണ്മെന്റു ഇയാൾക്കു കൊടുക്കുന്ന പണം അയാളിൽനിന്നും തിരിച്ചുവാങ്ങിച്ചു മുതൽക്കൂട്ടാമെന്നു ഉറപ്പുപറയുന്നപക്ഷം ഈ തുക അനുവദിക്കാം. അല്ലെങ്കിൽ അനുവദിക്കാൻ പാടില്ലെന്നാണ് എന്റെ അഭിപ്രായം.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Before the member sits down, I want to get a doubt cleared.

DEPUTY PRESIDENT : He had already sat down when you got up.

MR. R. M. STATHAM (*Director of Public Instruction*) : Sir, I shall be very brief in my reply. Several members of the Assembly have stressed the point that this will make an undesirable precedent. That is not a very strong point of opposition because there have been several precedents before. Therefore, I do not see how this will be an undesirable precedent.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Better late than never.

MR. R. M. STATHAM (*Director of Public Instruction*) : I think it is not a bad precedent. It is not whether it is better late than never. It is a good policy and an accepted policy all over India where Education Departments give special scholarships for foreign study. That is encouraged by all Governments and Education Departments. My third point is that I cannot conceive how members of the Assembly think that this is a waste of money. They asked how this is going to give a direct return if we get a higher and better qualified man as the Professor of a college. I must say that it will give a direct return. And Government are only paying 10 shillings a day for the period that he is attending classes in London. As a matter of fact the State leave allowances outside are larger than those inside the State. I commend the grant to the House.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Does the member know that Mr. Aiyappan Pillai who was an Assistant Professor in the Maharaja's College, Trivandrum, was taken over to the Presidency College, Madras, simply because he had European qualifications ?

MR. R. M. STATHAM (*Director of Public Instruction*) : I can say 'yes' to the question.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : At the same time, may I take it that there were Assistant Professors in the Presidency College who could have been sent over to England for higher studies without taking Mr. Aiyappan Pillai to the Presidency College ?

MR. R. M. STATHAM (*Director of Public Instruction*) : I do not think I can answer on behalf of the Presidency College.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Another point. Is there Literature Honours class in the Arts College here ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Yes, Sir.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : May I know who is the chief Professor in English who is teaching Literature in the Literature Honours Class ?

MR. R. M. STATHAM (*Director of Public Instruction*) : I think the members of the Assembly know the staff of the Arts College.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I am asking the member because I have not got information. I am not in charge of the Arts College. The member is in charge of the subject.

MR. R. M. STATHAM (*Director of Public Instruction*) : Mr. P. G. Sahasranama Aiyar.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : May I know what his qualifications are ?

DEPUTY PRESIDEHT : You need not answer that question, Mr. Statham. I may observe that, in case information is ordinarily available to the public, or when the necessary documents are suppied by Government, such questions need not be put.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I may make one statement here. The *Quarterly Civil List*, which is usually supplied to the members of the Assembly, is not now being supplied. If that were supplied, I would have referred to that and got the necessary information. But otherwise it is the official member who must give the information. Perhaps he wants to refer to that and that is why he is taking time.

DEPUTY PRESIDENT : In the light of the fresh circumstance as explained, the member may put the question.

MR. R. M. STATHAM (*Director of Public Instruction*) : May I lend my copy to the member ?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : As a retort, I may say that I can purchase a copy from the Government Press.

DEPUTY PRESIDENT : You may ask your question, Mr. Krishna Pillai.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quion II*) : I want to know what Mr. Sahasranama Aiyar's qualifications are.

MR. R. M. STATHAM (*Director of Public Instruction*) : He is an M. A.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quion II*) : Is he only a third class M. A. ?

MR. R. M. STATHAM (*Director of Public Instruction*) : I claim notice.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether Mr. Sivaramasubrahmanya Aiyar will get an increased pay when he returns ?

DEPUTY PRESIDENT : That question is not relevant.

The demand was then put and lost.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I demand a poll.

A poll was taken with the following result:

AYES—17.

1	Mr.	C. V. Chandrasekharan	10	Mr.	R. Nilakanta Pillai
2	,,	S. Chattanatha Karayalar	11	,,	N. K. Padmanabha Pillai
3	,,	Antony George	12	,,	Kayalam Paramesvaran Pillai
4	,,	K. George			
5	,,	M. Mahomed Haneef	13	,,	R. Sambasiva Aiyar
6	,,	L. H. Jacob	14	,,	R. Sivasubrahmanya Nadar
7	Rao Sahib	Dr. N. Kunjan Pillai	15	,,	M. Sivatanu Pillai
8	Mr.	B. Narayana Pillai	16	,,	R. M. Statham
9	,,	G. Nilakantan	17	,,	T. C. Thommen

NOES—47.

1	Mr.	N. Abdur Rahiman Sahib	24	Mr.	C. V. Kunjuraman
2	,,	K. C. Abraham	25	,,	E. K. Kunjuraman
3	,,	T. K. Alexander	26	,,	K. M. Kuriakose
4	,,	V. T. Chacko	27	,,	K. Madhavan
5	,,	P. Chidambaram Pillai	28	,,	M. K. Madhavan Pillai
6	,,	A. S. Damodaran Asan	29	,,	K. Mahomed
7	,,	A. Easwara Pillai (Kalkulam II)	30	,,	M. N. Nair
			31	,,	P. C. Narayanan Bhattatiripad
8	,,	A. Easwara Pillai (Kottarakara)	32	,,	K. A. Narayana Pillai
9	,,	K. R. Elenkath	33	,,	Pacode A. Narayana Pillai
10	,,	S. J. Nair	34	,,	P. K. Narayana Pillai
11	,,	T. S. Jayantan Nambootiri	35	,,	S. Nilakanta Pillai
12	,,	N. John Jospeh	36	,,	K. Padmanabhan
13	,,	T. C. Joseph	37	,,	Edavanatt S. Padmanabha Menon
14	,,	K. C. Karunakaran			
15	,,	T. T. Kesavan Sastri	38	,,	Kainikkara M. Padmanabha Pillai
16	,,	K. M. Krishnan			
17	,,	K. P. Krishna Menon	39	,,	Changanachery K. Paramesvaran Pillai
18	,,	Pottayil S. Krishna Panickar	40	,,	V. Ramakrishna Panickar
19	,,	E. V. Krishna Pillai	41	,,	T. P. Ramasubba Aiyar
20	,,	N. K. Krishna Pillai	42	,,	K. Sankaran
21	,,	Puthupalli S. Krishna Pillai	43	,,	A. Thanu Pillai
			44	,,	P. K. Thomas
22	,,	T. Krishna Pillai	45	,,	N. E. Varughese
23	,,	K. Kunjukrishna Pillai	46	,,	V. K. Velappan Nair
			47	,,	T. P. Velayudhan Pillai

NEUTRALS—2.

1 Miss. Hepzibah Gnanasikamony | 2. Srimathi T. Narayani Amma

The demand was declared lost.

LAND REVENUE.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Sir, I rise to move for a supplemental grant of Rs. 5,328, under the Demand Land Revenue. The demand is made up off two items. First is for the appointment of a special staff of a clerk on Rs. 25, and a copyist on Rs. 15 per mensem, for a period of 4 months, in the Kottayam Division Cutcherry, to attend to land acquisition work. The expenditure for this comes to Rs.160. The second is for the appointment of a special staff for the revision of the Land Revenue Manual, the expenses allotted for this being Rs. 5,168.

Land acquisition work in the Kottayam Division is heavy. Prior to 1098, this work was done by the Division Assistants in their respective Divisions. Since then, the work was transferred to Dewan Peishkars. There has been considerable accummulation of work in the Kottayam Division, partly on account of the opening of ryots' roads. Recently, for the broadening of the Cochin-Shoranur Railway, some lands have been acquired by our Government and in that connection, the Peishkar, Kottayam, has reported that 1,000 cases of land acquisition have to be dealt with in his office. In order to expedite matters and to relieve the hardships of the people, to whom compensation is due, the Peishkar has requested that, for a period of four months, his office staff might be strengthened.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): May I know, who is to pay money for the acquisition of lands?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The Cochin Government.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): So, the expenditure of the staff also will be met by the Cochin Government.

MR. K. GEORGE (*Ag Land Revenue and Income Tax Commissioner*): No. Only the cost of the field staff will be met by the Cochin Government.

MR CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): What about the expenses in connection with the land acquisition officer's staff?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That is only a very small item. The additional staff is not required solely for the acquisition of land for the Cochin Railway; there is general congestion of work in the Peishkar's office and the additional staff is required to bring up the arrears of that office.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): What exactly stands in the way of distribution of this work among the Division Assistants?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Prior to the reorganisation of 1098, the work was attended to by the Division Assistants.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Is not the land acquisition work referred to by the member, mainly concerned with ryots' roads ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I said, partly for the opening of ryots' roads and partly for acquisition of lands in connection with the railway.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): For the use of ryots' roads, will not land be got free of cost ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Usually to ensure security of tenure, lands are taken under the Land Acquisition Regulation.

MR. N. E. VARUGHESE (*Tiruvalla I*): വില കൊടുക്കുന്നുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Nominal compensation.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): When was the necessity felt ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Even last year ; but as the matter is one which requires the sanction of the Assembly, the Government have come forward with this demand.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know, what was the difficulty for not including it in the last budget ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That was because the proposal came too late for that.

The second part of the demand is for the creation of a special staff for the revision of the Land Revenue Manual This is a matter which is long over-due. The Land Revenue Manual consists of five volumes, of which the first three books are intended to be used as books of reference. These volumes with their supplements comprised all the Regulations. Proclamations Rules and Standing Orders relating to land revenue matters as they stood at the time of their compilation. Of these the first volume which contains the whole body of Regulations, Proclamations and Statutory Rules has been brought up only to the close of 1926. The second volume, which contains the departmental rules and standing orders, has been brought up to 1928. The third volume, which is intended as a code of instructions for the administration of the department has not been revised ever since it was first issued in 1915. It is quite obvious that, for the administration of a big department like the Land Revenue Department, it is absolutely necessary that all Rules, Standing Orders, Instructions etc., must be up-to-date. In fact, nobody in the department now knows what the last rule on a subject is. Since the last revision of these volumes, there have been innumerable revisions, additions and amendments to the Rules, but they have not been incorporated, so that the books cannot be taken as a reliable guide in the working of the department. A revision of the Manual is thus an urgent necessity Such an up-to-date compilation is not only useful to the officers of the Revenue Department, but it will be useful also to the public and the vakils appearingin land revenue cases.

MR. PUTHUPLLI S. KRISHNA PILLAI (*Quilon II*): May I know will not the book be useful for the officers of Government? The member has left out that.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I mentioned that.

MR. PUTHUPALLI S KRISHNA PILLAI (*Quilon II*): May I know why the member has left out that.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I said first that it is useful for the day-to-day administration of the Revenue Department. Now, what is propossed to be done is to bring the first two volumes up-to-date and then proceed to recast the whole of the third volume, somewhat on the lines of the Standing Orders of the Board of Revenue, Madras. Our object is that, in future, amendments will be carried out by means of correction slips as is being done to the T. S. R. Only by that method can we keep the books up-to-date. It is only when the books are complete in their essentials that the administration of the department could be carried on efficiently.

MR. M. N. NAIR (*Kottayam I*): The member said that such a compilation was long over-due. May I know what prevented Government from including it in the last year's budget?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The matter had not been settled then.

MR. M. N. NAIR (*Kottayam I*): But it was long over-due.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): It ought to have been done long ago. But the fact that it has not been done so far does not mean that we should delay it further.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഡിവിഷൻ അസിസ്റ്റൻറിൻേറയോ അതല്ല തഹശീൽദാരുടേയോ ആരുടെ ഗ്രേഡിലുള്ള ഒരുദ്യോഗസ്ഥനെകൊണ്ടാണ് ഇതു നടത്തണമെന്ന് വിചാരിക്കുന്നതു്?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): We will select a man who is fully conversant with revenue matters, and who has an intimate knowledge and experience of the department.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഇതു അഫിഷ്യലായിരിക്കണമെന്നാണോ വിചാരിക്കുന്നതു്, അതല്ല നാൺ അഫിഷ്യലായിരിക്കണമെന്നാണോ വിചാരിക്കുന്നതു്?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The question of the personnel is under consideration.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഇതിനെപ്പററി ഗവണ്മെൻറിലേക്കെഴുതിയ സന്ദർഭത്തിൽ ഒരു തഹശീൽദാരുടെ ഗ്രേഡിലുള്ള ഉദ്യോഗസ്ഥനെയാണ് ഇതിലേക്കു നിയമിക്കേണ്ടതെന്നു ശുപാർശ ചെയ്തിട്ടുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) That is a confidential matter.

DEPUTY PRESIDENT: You need not answer that.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഇതിന് ശേഷിയും പരിചയവുമുള്ള തഹശീൽദാരന്മാർ ഡിപ്പാർട്ടുമെൻറിലുണ്ടെന്നു ഗവൺമെൻറിനറിയാമോ?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I do not see how it arises.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഈ ജോലി നിർവഹിക്കാൻ ശേഷിയും പരിചയവുമുള്ള തഹശീൽദാരന്മാർ ഡിപ്പാർട്ടുമെൻറിലുണ്ടെന്നു ഗവൺമെൻറിനറിയാമോ?

DEPUTY PRESIDENT : The question does not arise.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) ; ഈ ഡിമാൻഡ് അനുവദിക്കുന്ന സന്ദർഭത്തിൽ ഇതെല്ലാം ആലോചനാവിഷയമാക്കേണ്ടതായിട്ടുണ്ട്.

DEPUTY PRESIDENT : At the present stage of the discussion, that question does not arise.

MR. K. R. ELANKATH (*Kalkulam I*) : Will not an officer of a Tahsildar's grade be sufficient for the work?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): It is all a question of personnel and that might be left to the Government. They will choose the best man for the work.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഏതു ഗ്രേഡിലുള്ള ഉദ്യോഗസ്ഥനാണ് ഇതിലേക്കു വേണ്ടതെന്നു നിശ്ചയിക്കാതെ ഈ സംഖ്യ എങ്ങിനെയാണ് നിശ്ചയിച്ചതു്?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): How is he again eligible for putting questions?

DEPUTY PRESIDENT : A member is at liberty to put questions in the course of another member's speech.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) . ഏതു സ്റ്റാറസ്സിലുള്ള ഉദ്യോഗസ്ഥനാണ് ഈ ജോലി നിർവഹിക്കേണ്ടതെന്ന് ആദ്യമായി ആലോചിക്കാതെ ഈ സംഖ്യ ക്ളിപ്തപ്പെടുത്തിയതെങ്ങിനെയാണെന്ന് ഗവൺമെൻറിനറിയാമോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): There has been some understanding on the point.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഈ "understanding' എന്തായിരുന്നു എന്നു പറയാമോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): A man may be selected who may have to be paid Rs. 200 or Rs. 250 a month.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : അതു് ലാൻഡ്‌റവന്യൂ ഡിപ്പാർട്ടുമെൻറിലുള്ള തഹശീൽദാരുടെ ഗ്രേഡിലുള്ള ആളായിരിക്കണമെന്നു ഗവണ്മെൻറാലോചിച്ചിട്ടുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That has not been settled.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സെററിൽ ചെയ്യാം എന്നല്ല ഞാൻ ചോദിച്ചതു്. ഇതിനെപ്പററി ഗവണ്മെൻറു ആലോചിച്ചിട്ടുണ്ടോ എന്നു ദയവായി പറയുമോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Many things have been considered. Whether it is not desirable to have an officer of ripe experience in the department or whether it is enough to have an officer of the standing of a Division Assistant or whether an officer of a Tahsildar's grade is sufficientall these are also under consideration and the matter could be settled only later on.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know what is the monthly payment that is intended to be given to the person ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): About Rs. 250 per mensem.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : If that is the idea of Government, then may I take it that the qualifications that the officer should possess for this special work have also been fixed ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : I have already said that a man who has intimate knowledge of the Rules and Regulations and who is conversant with the working of the department will be chosen. The man selected must also be able to write well.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Then may I take it that such a qualified person could be had for Rs. 200 ?

MR. K. GEORGE *Ag. Land Revenue and Income Tax Commissioner*): We hope so.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Is it only a hope then?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Have the Government put the matter to the test ?

DEPUTY PRESIDENT : That does not arise.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): About the question of obtaining a person on Rs. 250?

DEPUTY PRESIDENT; That has been answered. Government do not anticipate any difficulty in that. Why should you be anxious?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Not that I am anxious. Not at all; I am only asking for information.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The matter is still under consideration.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know why the Government fixed his remuneration when they did not think of the person to be selected?

MR K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Government might have thought of it. But they have not made up their minds.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know how far that thougt has been fulfilled?

DEPUTY PRESIDENT: Such cross-examination is disallowed.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): The member said that the Government have not made up their minds, but they have thought of it. So it is I ask, may I know who are the gentlemen that were thought of?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The mattor is confidential.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*); How has that become so?

DEPUTY PRESIDENT: The question of personnel is confidential.

MR. PUTHUPALLI S. KRISHNA PILLAI(*Quilon II*): Am I to take it that the author of the Revenue Manual would be secretly engaged and that his name would not be published?

DEPUTY PRESIDENT; He will be selected by the Government.

MR. M. SIVATANU PILLAI (*Tovala*): I rise to a point of order. If a grant is to be a supplementary one, it has to satisfy two conditions.

DEPUTY PRESIDENT: You are too late for that. If you wanted to prevent a discussion, you ought to have raised this point at the beginning.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇത്രയും രൂപാ ആവശ്യപ്പെടുന്നതും റവന്യൂമാനുവൽ നിർമ്മിക്കുന്ന ആളിന്റെ ശമ്പളത്തിനുമാത്രമാണോ അതോ അദ്ദേഹത്തിനു നൽകേണ്ട പ്രതിഫലം കൂടി ചേർത്തിട്ടാണോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*). Purely for salaries.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇതിനു എത്ര രൂപാ ചിലവാകുമെന്നു കണക്കു കൂട്ടിയിട്ടുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income-Tax Commissioner*): Yes.

MR. C. V. KUNJURAMAN (*Nominated*) : ഈ ജോലിയുടെ സ്വഭാവം നോക്കി ഇത്രയും രൂപാ ചിലവുവരുമെന്നു നിശ്ചയിച്ചതാണോ അതല്ല വേല ചെയ്യുന്ന ആളിന്റെ സ്വഭാവം നോക്കി ഈ തുക നിശ്ചയിച്ചതാണോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : The remuneration to be paid to the staff has been more or less fixed.

MR. C. V. KUNJURAMAN (*Nominated*) : ഗവൺമെന്റിനും ജനങ്ങൾക്കും ഒരുപോലെ ആവശ്യമുള്ള ഈ മാതിരി ഗ്രന്ഥം നിർമ്മിക്കേണ്ടതു അത്യാവശ്യമല്ലേ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : Certainly. This is for selection of suitable men with suitable staff, and the whole cost is estimated at Rs. 5,160.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know from the member the length of the time for which the staff has to work?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : It would be about a year and a half.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know whether the figure arrived at here is for that period?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : The figure now given is for 8 months, this year. The amount that we will be spending will be something less than that, because we may not be able to appoint the staff immediately.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : That is not what I am concerned with. I want to know the total cost for this work, till it is finished.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : The amount now provided for is for 8 months. The work may be finished within a year and a half. So a little over twice this amount, or about Rs. 12,000 or so, may be required.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : So, Sir, am I to understand that this will be work enough for a special officer ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : I will explain. It is many years since the Land Revanue Manual has been printed and thereafter several amendments have been made and the changes have to be brought in the Manual itself.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Am I to understand from this statement that the Land Revenue Commissioner has not been arranging the correction slips received from Government from time to time in a regular manner. Is there not a separate file?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : The corrections are kept in a separate file. If you read the Land Revenue Manual, you will not know whether a rule or order has been revised or not.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I wish to know whether the amendments are arranged in the order of the subjects.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I am not saying how it is arranged now. I am saying that the proposal includes a complete re-writing of the third volume. It is not a mere compilation that is contemplated.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): From the answer given, am I to understand that no additional amount will be required for the purpose. If we now vote upon this Rs. 5,000 and odd and if any further amount is necessary, will we not be committing ourselves to vote for additional amount also?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): If the House thinks that more amount is necessary and it is worth while, I hope the House will vote.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): May I know whether Government propose to utilise the services of a retired officer for the purpose?

DEPUTY PRESIDENT: I disallow that question because Mr. George has not said whether it will be an officer in the service or not who will be appointed for the work.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The work consists in compiling and rewriting the manual and for that purpose it is not possible to get the work done without having a special officer.

MR. A. THANU PILLAI (*Trivandrum - Rural*): May I know how the proposed amount of Rs. 5,000 and odd is to be distributed? What part of it will be given to the Special Officer and what part to the other staff?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is Mr. Thanu Pillai in order in asking that question?

DEPUTY PRESIDENT: That question is already answered.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I wish to know how this amount will be divided. What portion of it will be given to the Special Officer?

DEPUTY PRESIDENT: The member who talks becomes *functus officio* so to speak as soon as the time runs out, and in this case he has also sat down before Mr. Thanu Pillai put the question.

MR. S. J. NAIR (*Nedumangad*): Sir, in supporting the motion, I should like to make an important suggestion with regard to the second demand under land revenue *viz.*, about the appointment of a Special Officer for the revision of the Land Revenue Manual. I would request the Government that it is absolutely necessary that a gentleman who is in service and who has got knowledge in revenue matters should be appointed as the Special Officer for the reason that the Government shall have absolute control over the officer concerned and for the early completion of a manual.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Does the member think that the Government will have no control over a retired officer?

MR. S. J. NAIR (*Nedumangad*): Government cannot have complete control over the retired officer.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know what the member means by complete control and incomplete control?

MR. S. J. NAIR (*Nedumangad*): Certainly I will explain.

DEPUTY PRESIDENT: Mr. S. J. Nair, you have not got the right of explaining the meaning of ordinary words.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): But should not the member explain so as to make himself quite clear?

DEPUTY PRESIDENT: Ladies and gentlemen who come here and participate in the discussions, it is presumed, have a working knowledge of English words and phrases. I certainly cannot allow the explanation of ordinary English words used in the course of the discussion.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സർ, ലാൻഡ്റവന്യൂമാനുവൽ നവീകരണാർത്ഥം ൬,൦൦൦ രൂപാ അനുവദിക്കണമെന്നു ഈ സഭയുടെ അംഗീകരണത്തിനായി ഹാജരാക്കീട്ടുള്ള അഭ്യർത്ഥന അനുവദനീയമാണോ അല്ലയോ എന്നു നിർണ്ണയിക്കുന്നതിനു ആസ്പദമായ ചില സംഗതികൾ ഗവണ്മെൻറുഭാഗത്തുനിന്നും അറിയേണ്ടിയിരിക്കുന്നു. ഈ സംഗതികളെ സംബന്ധിച്ചു തൃപ്തികരമായ ഉറപ്പ് ലഭിക്കാത്തപക്ഷം ഈ അഭ്യർത്ഥനയെ എതൃക്കുന്നതിനു ഞാൻ നിർബന്ധിതനാണെന്നുകൂടി അറിയിച്ചുകൊള്ളട്ടെ. ലാൻഡ്റവന്യൂഡിപ്പാർട്ടുമെൻറിൽ മററു പല തുറകളിൽനിന്നും ആളുകളെ എടുത്തുവരുന്ന സമ്പ്രദായംകൊണ്ട് ഈ ഡിപ്പാർട്ടുമെൻറിലെ ഉദ്യോഗസ്ഥന്മാർ പ്രോത്സാഹനം ലഭിക്കാതെ നിരാശയ്ക്കു വശംവദരാകുന്നുണ്ട്. ഉദ്യോഗസ്ഥന്മാർക്കു സ്വാഭാവികമായി നിരാശമൂലം സംഭവിക്കുന്ന ഈദൃശദൂഷ്യങ്ങളുടെ ഫലാനുഭവക്കാർ പൊതുജനങ്ങൾതന്നെ ആയിരിക്കുന്നതിനാൽ തൽപരിഹാരാർത്ഥം ന്യായമായി പ്രവർത്തിച്ച് അവരുടെ കർത്തവ്യനിർവ്വഹണത്തിനു കൂടുതൽ ഔൽസുക്യം നൽകേണ്ടതു് അത്യന്താപേക്ഷിതമായിട്ടുള്ളതാകുന്നു. ലാൻഡ്റവന്യൂ മാനുവൽ യഥായോഗ്യം നവീകരിക്കുന്നതിനു ശരിയായ പരിജ്ഞാനവും പരിചയവും വൈദഗ്ദ്ധ്യവുമുള്ള ആളുകൾ ആ ഡിപ്പാർട്ടുമെൻറിൽതന്നെ തഹസീൽദാരന്മാരായി ഇരിപ്പുണ്ട്. ഇനിയും ഈ ജോലി നിർവഹിക്കുന്നതിനു തഹസീൽദാരന്മാർ പോരെന്നു കരുതുന്നപക്ഷം ഇതിലേയ്ക്കു സമർത്ഥന്മാരായ ഡിവിഷണൽ അസിസ്റ്റൻറന്മാർതന്നെ ആ ഡിപ്പാർട്ടുമെൻറിൽ ഉണ്ട്. വിഹിതമെന്നു തോന്നുന്നപക്ഷം അവരിൽനിന്നും ഒരാളിനെ നിയോഗിക്കാവുന്നതാണ്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether he is anxious that the manual should be a proper document or is he interested in the personnel of the man who is to prepare the manual?

MR. S. J. NAIR (*Nedumangad*) : I rise to a point of order. Mr. Kunjukrishna Pillai should have put the question in Malayalam when the member was speaking in that language.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : The language which I speak in this House is English. So I am entitled to put the question in English. My friend is therefore wrong in raising a point of order.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സക്കാർമുതൽ അനാവശ്യമായി ചെലവുചെയ്യാതെ ജോലി കഴിയുന്നത്ര ഭംഗിയായും സർവ്വീസിലുള്ളവക്കു് നിരാശയ്ക്കു ഹേതുവാകാതെയും നടക്കണമെന്നുള്ളതാണ് എന്റെ ആഗ്രഹം.

MR. K. R. ELENKATH (*Kalkulam I*): തഹശീൽദാക്കുള്ള ശമ്പളം കൊടുത്താൽ നല്ല പരിചയമുള്ള ഒരു പെൻഷൻഡ് പേഷ്ക്കാരെതന്നെ ഈ ജോലി നിർവഹിക്കുന്നതിനു കിട്ടുമെങ്കിൽ അതല്ലേ നല്ലതു്?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : അശേഷം അല്ല. അതിലുള്ള ദോഷങ്ങളാണു ഞാൻ പറയുവാൻ പോകുന്നതു്. സർവീസിൽനിന്നും ആരെയെങ്കിലും ഇതിലേയ്ക്കു നിയോഗിക്കേണ്ടതിനുപകരം പെൻഷൻപററി സർവ്വീസിൽനിന്നും പിരിഞ്ഞിട്ടുള്ള ആരേയോ നിയമിക്കുന്നതിനു ആലോചനയുള്ളപ്രകാരം അറിയുന്നുണ്ടു്. ഇതു് ഒട്ടുംതന്നെ ആശാസ്യമായിട്ടുള്ള ഒരു നയമല്ല. തിരുവിതാംകൂറിൽ ഉദ്യോഗനിയമനം സംബന്ധിച്ചുള്ള കേൾവികൾ കാലവിളംബമന്യേ യഥാർത്ഥമായി പരിണമിച്ചുകാണുന്നതുകൊണ്ടുമാത്രമാണ് ഇപ്രകാരം പ്രസ്താവിക്കുന്നതു്. ഒന്നാമതായി പെൻഷൻപററിയ ആളിനെ നിയമിക്കുന്നപക്ഷം റവന്യൂ മാനുവൽ നവീകരിക്കുന്നതിനുള്ള ജോലി കഴിയുന്നത്ര വേഗം അവസാനിപ്പിക്കണം എന്നുള്ള താല്പര്യം ഇല്ലാതെ ആയതിനുള്ള കാലാവധി കഴിയുന്നത്ര ദീർഘിപ്പിച്ചു് കൂടുതൽ സംഖ്യ ശമ്പളമായി വാങ്ങുന്നതിനു് അവർ ശ്രമിക്കുമെന്നുള്ളതു് സ്വാഭാവികമാകുന്നു.

DEPUTY PRESIDENT : May I point out to the member that it is not stated by the member in charge that the Government are going to have either a Tahsildar or a Peishkar or an officer in service or pensioned to be appointed as the Special Officer. The point now raised is therefore hypothetical. I think detailed examination of that question need not be had.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഈ സംഖ്യ നിശ്ചയിച്ചതു് ഏതു മാനദണ്ഡത്തെ ആസ്പദമാക്കിയാണെന്നു് ഞാൻ ചോദിച്ച അവസരത്തിൽ അതിനു് ശരിയായ സമാധാനം ഉദ്യോഗസ്ഥമെമ്പർ പറയാത്തതുകൊണ്ടു് ഈ തുക അനുവദിക്കാൻ പാടില്ല എന്നുള്ളതാണു എന്റെ വാദം. രണ്ടാമതു് ൫൫ വയസ്സു് പൂർത്തി—

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): A point of order, Sir. Is the member in order in pursuing the question?

DEPUTY PRESIDENT: I did not say that he should not speak. I said that he should not enter into details. It appears to me that he is relevant.

MR. C. V. KUNJURAMAN (*Nominated*): മിസ്റ്റർ വേലായുധൻപിള്ള തന്നെ "I did not hear" എന്നു പറഞ്ഞു.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): മിസ്റ്റർ സി. വി. കുഞ്ഞുരാമനും അതുതന്നെ പറഞ്ഞു.

DEPUTY PRESIDENT; I may be excused when I say that we are dealing with very serious business of Government. It certainly lies within the privilege of every member to take objection on grounds substantial or flimsy. We have been getting reputation for doing business in an excellent fashion (*Hear, hear*). Let us concern ourselves with the substance of things and not with mere ephemeral shadows.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അൻപത്തഞ്ചുവയസ്സ് പൂർത്തിയായതിനുശേഷം പെൻഷൻ നല്കണമെന്നുള്ള നിയമവ്യവസ്ഥതന്നെയും അതിനുശേഷം അവർ ജോലിനിർവഹിക്കുന്നതിന് പ്രായേണ അപ്രാപ്തന്മാരായിരിക്കുമെന്നുള്ള വിശ്വാസത്തിന്മേലുണ്ടായിട്ടുള്ളതാണ്.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): പെൻഷൻഡ്യുദ്യോഗസ്ഥൻതന്നെ ആയിരിക്കുമെന്ന് ഗവമെന്റിന്റെ അഭിപ്രായത്തിൽ നിന്നു വ്യക്തമാകുന്നുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): കേംവിയെ ആസ്പദമാക്കിയും കേംവി യഥാർത്ഥമായി പരിണമിച്ചുകാണുന്ന അനുക്ഷേപാർഹമായ നടപ്പിനെ ആസ്പദമാക്കിയും പറയുന്നതാണ്.

ആയതുകൊണ്ടു കാര്യക്ഷമതയ്ക്കും ഗവമെന്റിന് നഷ്ടമുണ്ടാകാതിരിക്കുന്നതിനും ഡിപ്പാർട്ടുമെന്റിലുള്ളവർക്ക് നിരാശയുണ്ടാകാതിരിക്കുന്നതിനും ആയി ഈ ജോലിയ്ക്കു പെൻഷൻപറ്റിയ ആരെയും നിയമിക്കാതെ സർവീസിലിരിക്കുന്ന് വിദഗ്ധനായ ഒരു തഹശീൽദാരെത്തന്നെ നിയമിക്കണമെന്ന് ഞാൻ ഗവമെന്റിനെ ഉൽബോധിപ്പിക്കയും ഈ നിലയിൽ ഗവമെന്റ്ഭാഗത്തുനിന്നും വിശ്വാസപൂർവമായ ഒരു അഷ്വറൻസു നല്കാത്തപക്ഷം ഈ അഭ്യർത്ഥനയെ ഞാൻ ശക്തിയായി എതിർക്കുകയും ചെയ്തുകൊള്ളുന്നു.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : A point of order. The member is irrelevant. He is speaking of 55 years and so on.

DEPUTY PRESIDENT : Your time is up, Mr. Velayudhan Pillai.

MR EDAVANATT S. PADMANABHA MENON (*Shertala I*) : Sir, I rise to support the motion and I am happy to do so. It is a very important problem and, as the official member has rightly stated, it is long over due. It has been one of the standing needs as it were, that the Land Revenue Manual has not been brought up-to-date. Any practical lawyer or any educated citizen has always felt the necessity for a radical reform in the Land Revenue Manual. With regard to the officer to be appointed, I am not at all concerned with the personnel. But I am particular in this, that he should be an expert, the ablest man in Travancore, who must be put in charge of the business. It is a very serious matter, a very important matter which will affect Travancore very intimately, and personally I am not concerned whether he takes a larger number of months or is paid a big salary. The work should be done well and efficiently and the remuneration is not the sole criterion in the matter. I fully support the motion.

MR. N. E. VARUGHESE (*Tiruvalla I*) : ഞാൻ ഈ ധനാഭ്യർത്ഥനയെ പിൻതാങ്ങുന്നു.

DEPUTY PREISIDENT : I did not hear you.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഞാൻ ഈ ധനാഭ്യർത്ഥനയെ പിൻതാങ്ങുന്നു.

റവന്യൂമാനുവലിന്റെ ആവശ്യകതയെപ്പററി പലപ്പോഴും ഞാൻ വിചാരിച്ചിട്ടുണ്ട്. മററു ഡിപ്പാർട്ടുമെൻറുകളെ അപേക്ഷിച്ചു വളരെ കുഴഞ്ഞു മറിഞ്ഞു കിടക്കുന്ന ഒരു ഡിപ്പാർട്ടുമെൻറാണ് റവന്യൂഡിപ്പാർട്ടുമെൻറ്. ചില പ്രത്യേക സംഗതികളെപ്പററി ഗവണ്മെൻറിന്റെ തീരുമാനം എന്താണെന്നു ഉദ്യോഗസ്ഥന്മാരോടു ചോദിച്ചാൽ അവർക്കു നിശ്ചയമില്ല. അങ്ങിനെ അവരിൽ ചിലർ തന്നെ എന്നോടു പറഞ്ഞിട്ടുണ്ടു.

DEPUTY PRESIDENT : The House will now adjourn for lunch and meet again at 2 P.M.

The House rose at 1-15 P. M. and reassembled at 2 P.M.

MR. N. E. VARUGHESE (*Tiruvalla I*) : ഉത്തരവാദിത്വമുള്ളയാളുകൾ ശരിയായി കണക്കുകൂട്ടി ഒരു അഭ്യർത്ഥന ഗവണ്മെൻറിനുവേണ്ടി അവതരിപ്പിക്കുമ്പോൾ അതിനെപ്പററി ഖണ്ഡിച്ചു മുറിച്ചു പറയുന്നതു് ശരിയല്ല. അതിനാൽ എത്രയും വേഗത്തിൽ കഴിയുന്നതും ചിലവുചുരുക്ക് വളരെ ഭംഗിയായി ഈ മാനുവൽ എഴുതി ഉണ്ടാക്കേണ്ടിയതാണെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. K. SANKARAN (*Kartikapalli I*): Sir, I also support the motion. It is agreed on both sides, the official and the non-official, that the preparation and publication of the Land Revenue Manual is not only quite essential but also overdue. There is no dispute as to the necessity of such a work. From the speeches that were already delivered from both sides of the House, the only question that caused some difficulty was with regard to the choice of the person. My own opinion is that the question of choosing the proper person should be left to the discretion of the Government. But we can offer some suggestions which should be borne in mind by the Government at the time of choosing the person. The question of choosing a person from the rank of a Tahsildar, a Division Assistant or a Dewan Peishkar is not the criterion that has to be taken into consideration. It is only a question of choosing the most efficient, the most experienced and the best man available and the only other thing to be considered is that he must be a Travancorean. If we have a man in Travancore with the widest experience and who has some very good reputation and much experience in the Land Revenue Department, as far as possible, he must naturally be chosen. But that choice may be left to the Government. As the work is so very urgent, it must be executed within the minimum possible time. Unlike some of the Committees that Government appoint, this officer and his staff should not be allowed to claim extensions after a time so that the work may be delayed. The work being so important, it should be finished within the minimum time possible. It is a very important work that is most useful to the public, to the lawyers and to the officers of the Land Revenue Department. Ever so many difficulties are caused to the lawyers handling land revenue cases and to officers in the Land Revenue Department. The work is so important that it must be done by a most efficient man who has the widest experience in land revenue affairs. With these observations, I support the motion.

MR. A. EASWARA PILLAI (*Kalkulam II*): I support the motion moved by the Land Revenue Commissioner. As has been pointed out by the Land Revenue Commissioner and members on this side of the House, the necessity for the revised Land Revenue Manual has been keenly felt by both the officials and the non-officials. Therefore I urge Government for a speedy preparation of the Land Revenue Manual.

MR. K. GEORGE (*Ag. Land Revenue and Income-Tax Commissioner*) Sir, I have nothing more to add to what I have already said except that the observations made by the members on the other side of the House with regard to the selection of the man and the period for which he should be appointed will be kept in view by the Government.

The motion was put to the vote of the House and carried.

The demand was made.

PUBLIC HEALTH AND SANITATION.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Sir, I move for a grant of Rs. 6,850 under Public Health and Sanitation.

As the members will see from the agenda, this consists of two items, the first is a sum of Rs. 6,250 for the contribution to the Public Health Department, Madras, in connection with the plague recrudescence enquiry in the Cumbom Valley, and the second a sum of Rs. 600 for payment of allowance etc., to Mr. T. R. Narayana Pillai, Public Analyst, in connection with his training in the Indian Institute of Science, Bangalore.

Sir, regarding the first item I may be permitted to say that at present Government are spending somewhere about Rs. 23,000 on plague preventive measures in the Peermade and Devicolam taluks. We are trying various measures for the control and prevention of plague. It is a well-known fact that plague germs are imported into Travancore from British India. Plague has been long prevalent in British Districts and it is only recently that a few stray cases appeared in Travancore territory also. Various measures are being tried to prevent its spread in Travancore. Inoculation is one of them. Fumigation of provisions is another. These measures are being carried on to some extent in the Peermade and Devicolam taluks. Last year the Public Health Department in Madras started an experiment in Cumbom Valley for the complete extermination of rats and rat-fleas. I need not tell the House that plague germs are carried by rat-fleas, and if we can find an effective method to exterminate them it will be the best means to prevent plague. The experiment was started last year in the Cumbom Valley by the Madras Public Health Department. For the conduct of that experiment, Travancore Government contributed about Rs. 615. The experiment was successful and during the ensuing official year, (1934-1935) the Madras Public Health Department has arranged to carry out extensive operations for the extermination of rats and rat-fleas in that valley. It is expected that the cost during the year would come to about Rs. 12,500 and the Travancore Government were asked whether they would be prepared to contribute half that cost.

MR. S. J. NAIR (*Nedumangad*) : May I know where the Cumbom Valley is ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Beyond the eastern frontiers of Travancore.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know whether the Madras Government contributes anything to the work which is carried on within the Travancore territory ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : No. I will just explain why we should contribute to the expenditure incurred by them. It is expected that if the attempt to

[Rao Sahib Dr. N. Kunjan Pillai.]

exterminate rats and rat-fleas in the Cumbom Valley proves successful, we can very well give up the various measures that we are adopting for the control and prevention of plague in Peermade and Devicolam taluks. If the experiment is successful, Travancore need not be afraid of plague germs being imported into Travancore, at least for the next three or four years.

MR. S. J. NAIR (*Nedumangad*): May I know whether that is an expert knowledge gained by Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is the information that the Government have received from expert authorities. I may say that the experiment was carried out last year and it was found successful and the expert advice is that these experiments will be successful this year also, and if that be so, I may say that Travancore can be kept free from plague.

MR. K. R. ELENKATH (*Kalkulam I*) May I know whether this contribution is voluntary or a compulsory one?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The British Government asked the Travancore Durbar whether they are prepared to co-operate in the work, and the Travancore Government agreed to the proposal in view of the advantages to the State. We are now spending about Rs. 23,000 on plague preventive measures. My information, based on the reports received from experts, is that, if the work which is started in Cumbom Valley is carried on successfully for three or four years, plague can be kept out of Travancore for a number of years.

MR. S. J. NAIR (*Nedumangad*): May I know whether the British Government is trying the experiment in the interest of the British Government or the Travancore Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): It is found that the contribution is in the interest of Travancore Government because, if we do not contribute, we will still have to carry on preventive measures in Travancore at a cost of about Rs. 23,000 every year. The British Government may carry on the experiment in a few of the villages in the Cumbom Valley and probably the danger of the plague germs coming into Travancore may still continue. We cannot compel the British Government to carry on the operations in all the frontier villages of Travancore. If only the Travancore Government contribute to the extent required, the Madras Government will extend the operations to all the frontier villages of Travancore. It is for this purpose that I am asking for a supplementary grant of Rs. 6,250.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether there is any inter-Statal convention between the British Government and the Travancore Government with regard to the Public Health Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No, as far as I know.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is there any provision for the British Government giving a contribution to the Travancore Government for carrying out preventive measures within our territory?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): If the British Government are satisfied that any scheme carried on in Travancore will be to the benefit of their subjects and if the Travancore Durbar approaches them, I am sure they will only be too glad to contribute a portion of the expenditure.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether there was any such occasion?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I am not aware of any such occasion.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): May I know who will be the officers that will actually be working out the scheme in those districts and whether Travancore officers will also be included among them?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Travancore officers are posted at Kumili and they are carrying on experiments there. I think these officers will co-operate in the work that is being done by the officers of the Madras Public Health Department.

There is absolutely no objection to the Travancore officers visiting the centres.

MR. N. E. VARUGHESE (*Tiruvalla I*): കമ്പംവാലിയിൽക്കൂടി മാത്രമേ ഈ പകർച്ച വ്യാധി തിരുവിതാംകൂറിൽ കടക്കുകയുള്ളോ? വേറെ മാർഗ്ഗത്തിൽ കൂടി വരുന്നതിനിടയില്ലേ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Goovernment*): അവിടെ കൂടി മാത്രമേ വരുന്നൊള്ളു. തിരുവിതാംകൂറിന്റെ വടക്കുഭാഗത്ത് കൊച്ചിരാജ്യമാണ്. അവിടെ പ്ലേഗ് ഉള്ളതായി അറിഞ്ഞുകൂടാ. പടിഞ്ഞാറുഭാഗം കടലാണ് അതുകൊണ്ട് ആ വഴിയിൽക്കൂടി വരാൻ നിവൃത്തിയില്ല. കിഴക്കുഭാഗത്തുള്ള മധുരയിൽ നിന്നും ഇങ്ങോട്ട് വ്യാപിക്കുന്നതായിട്ടാണ് ഇതുവരെ കണ്ടിട്ടുള്ളത്. വേറെ സ്ഥലത്തുനിന്നു വരുന്നതായി ഇതുവരെ കണ്ടിട്ടില്ല

MR. A. THANU PILLAI (*Trivandrum Rural*): May I know whether plague started in Travancore territory or in British territory?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Plague came into Travancore long after it appeared in British India, so that it seems to be the natural presumption that it has come to Travancore from British India.

[Rao. Sahib Dr. N. Kunjan Pillai.]

The second item of this demand is the amount required for the payment of allowance etc., to Mr. Narayana Pillai who has been appointed as Public Analyst to undergo training. The demand of Rs. 600 is composed of the following items:—

(1) Allowance to Mr. Narayana Pillai at Rs. 70 per mensem, for six months	...	Rs. 420
(2) Travelling allowance-single II class	...	Rs. 60
(3) Tuition fees	...	Rs, 120
Total	...	Rs. 600

Mr. Narayana Pillai was appointed as Public Analyst in the Public Health Department. When the Food Adulteration Regulation comes into operation, we will require a trained Food Analyst. Mr. Narayana Pillai was actually appointed about six months ago ; but, though he was given the order of appointment, it has not yet taken effect. Mr Narayana Pillai is a good Chemistry graduate who had undergone about four years' training in the Indian Institute of Science, Bangalore. There he had had some training in food analysis also. It was considered that it would be better, in the interests of his work, to give him some more specialised training in food analysis so as to enable him to get the diploma of "Associate in Chemistry".

DEPUTY PRESIDENT : Your time is up.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I am sorry. Government propose to send Mr. Narayana Pillai again to the Indian Institute of Science at Bangalore for further training in food analysis.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : May I know whether the intensive work proposed to be conducted is in furtherance——

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. (Chief Secretary to Government*) : Is the member referring to food analysis ?

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : No, plague enquiry.

If the work now proposed to be carried on is in furtherance of work done last year, may I know why provision was not made in the budget for the year ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Definite information about the success of the experiments conducted was obtained only recently, and then the Deputy Director of the Health Department went to the spot, found out the real situation and sent up a report. Government got the report only very recently. Provision could not, therefore, be made in the budget for the current year.

The demand was put to vote and carried, and the grant was made.

POLICE.

MR. B. NARAYANA PILLAI (*Commissioner of Police*): Sir, I rise to move for a grant not exceeding Rs. 1,080 for the opening of a Police Out-post with a staff of one first grade Head constable and four fourth class constables, at Thalayar on the outlet road at Udumalpet in the Coimbatore District, and for strengthening the force in the Munnar Out-post with an addition of 6 constables of the fourth class.

MR. M. SIVATANU PILLAI (*Tovala*): May I know why this was not anticipated at the time the annual budget for 1109 was framed?

MR. B. NARAYANA PILLAI (*Commissioner of Police*): The necessity arose only after the annual budget for 1109 was framed. The Devicolam District Magistrate reported to Government that the revolutionary activities in South India are likely to spread in the Devicolam District owing to its close contact with the British Indian Districts. It was therefore found necessary to reinforce the strength of the Munnar Out-post for patrol and other police check on the frontier and the establishment of an out-post at Thalayar on the outlet road with a Head constable and four constables to prevent the ingress of bad characters from British India. Another reason for this is the recent looting of the National Bank at Ootacamund and it is quite possible for the looters to enter the High Range and raid the Banks in Devicolam. The police patrol and watch over the area lying contiguous to the Coimbatore District are the only remedial measures to combat the evil movement.

DEPUTY PRESIDENT: Ordinarily, answers to questions are expected to be short.

MR. B. NARAYANA PILLAI (*Commissioner of Police*): I have finished my answer, Sir.

MR. M. SIVATANU PILLAI (*Tovala*): I have not finished, Sir. When did the Police Department here receive information about the looting of the Ooty Bank? Was it before the budget was prepared, or after?

MR B. NARAYANA PILLAI (*Commissioner of Police*): After.

MR M. SIVATANU PILLAI (*Tovala*): May I know the date of the looting?

MR. B. NARAYANA PILLAI (*Commissioner of Police*): The information is not now available with me.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): What is the need for strengthening the Munnar Out-post?

MR. B. NARAYANA PILLAI (*Commissioner of Police*): There are only 6 constables and one Head constable there now. Munnar is a big town. For day duty and night patrol, the number of men available is not sufficient. For night patrol and as a general precautionary measure, it is proposed to strengthen the force there. There was formerly an Inspector at Munnar but, as the number of cases for investigation by an Inspector was very few, the Inspector's post was abolished and the number of constables reduced. Now, we find the necessity to increase the number of men there for the foregoing reasons.

MR. K, R. ELENKATH (*Kalkulam I*): May I know———

DEPUTY PRESIDENT: The member has already sat down.

MR. K. R. ELENKATH (*Kalkulam I*): He sat down because I stood up.

DEPUTY PRESIDENT; It was some time after he sat down that you got up, Mr. Elenkath.

The demand was put to vote and carried, and the grant was made.

PUBLIC WORKS.

MR. L. H. JACOB (*Ag. Chief Engineer*): Sir, I rise to move for a grant not exceeding Rs. 1 lakh, under Demand VI—Public Works, for the formation of a separate P. W. D. Division to attend to the minor irrigation works in the State.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I rise to a point of order, Sir. In moving for supplementary grants, it has been the practice to give us the benefit of full information regarding the circumstances necessitating the demand. I now find official members moving for supplementary grants as though they are main demands like those made at the Budget session.

DEPUTY PRESIDENT: The printed statement furnished to you, though brief, is lucid enough for the purpose, since it tells you that it is for the formation of a separate P. W. D. Division to attend to minor irrigation works in the State. Therefore, I think it is for you, if you want further information on the matter, to put questions to the official member in charge.

MR. L. H. JACOB (*Ag. Chief Engineer*): I really intended to explain——

DEPUTY PRESIDENT; Mr. Jacob will not be in order if he attempts to speak, because, after making the demand, he immediately sat down.

MR. L. H. JACOB (*Ag. Chief Engineer*): I sat down only since you got up, Sir.

DEPUTY PRESIDENT: So far as I remember, Mr. Jacob sat down after formally moving for the grant, when Mr. Ramasubba Aiyar got up.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): If so, his position is right, he can continue.

DEPUTY PRESIDENT: Whether it is right or not, it is for me to decide. If facts are different from what I thought they were, it is a different matter then I shall reconsider my ruling. I saw Mr. Jacob sitting down before Mr. Ramasubba Aiyar got up. If that be so, my position is clear.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Mr. Jacob sat down only after——

DEPUTY PRESIDENT: In this matter, Mr. Chandrasekharan, Mr. Jacob's statement is enough. (*Laughter.*)

If Mr. Jacob really intended to speak and his sitting was accidental, I have no objection to allow him to speak.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : May I submit for your consideration that I understood absolutely nothing of what took place between Mr. T. P. Ramasubba Aiyar and Mr. Jacob, except that something took place?

DEPUTY PRESIDENT : That depends on the mental and physical capacity of individual members.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : There was also a ruling from the Chair, I wish to get an idea of what took place.

DEPUTY PRESIDENT : The ruling was expressed in a sufficiently loud voice.

MR. A. THANU PILLAI (*Trivandrum Rural*) : But, I did not understand, Sir,

DEPUTY PRESIDENT : Yes, we will leave it at that, and proceed.

MR. L. H. JACOB (*Ag. Chief Engineer*) : Sir, the necessity to attend to the maintenance of irrigation works in this State has been before Government for the last sixty years and more, and year after year, allotments were being made in the budget. Unfortunately, however, Government did not receive that amount of co-operation which they were entitled to expect from the ryots, in carrying out the works and also in the upkeep of the irrigation works. Agriculturists and land-owners not only failed to carry out their share of the work, but actually encroached on channel bunds and tank *porambokes* with the result that most of the irrigation works gradually deteriorated and have become, in most cases, useless. Channels have been reduced in width, tanks have become silted up and their bunds eroded, and everything has been brought down to a condition bordering on the dangerous.

MR. E. V. KRISHNA PILLAI (*Pattanamitta*) : Does the amount now asked for represent only the salary of the officers and staff for the proposed new Division?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I shall come to that.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether, in the budget for the current year, any funds have been allotted for minor irrigation works?

DEPUTY PRESIDENT : He will answer it later on.

MR. L. H. JACOB (*Ag. Chief Engineer*) : In the year 1897 the Irrigation Regulation was introduced into the State, giving the Government power to control the various irrigation works. But, unfortunately, owing to its rather cumbersome nature and the procedure laid down, it has not been found satisfactory to work as it might have been. Matters have gradually gone worse with the result that many times this matter of investigating the whole question has been brought before the Assembly and also before the Legislative Council. The result of it was that Government appointed a Committee to investigate the whole matter and submit recommendations for modifying the Regulation and suggest any other improvement which will help in bettering the existing state of affairs. This Committee consisted of officials and non-

[Mr. L. H. Jacob.]

officials and was constituted in March 1930. After touring the country and getting a considerable amount of evidence all over the State, they submitted their Report in October 1931. Amongst the Committee's recommendations was one relating to the formation of a separate Irrigation Division under the P. W. D. in charge of an Executive Engineer for attending to all the irrigation works and to get them into a better state of repair. In this proposal they suggested that there should be two Sub-Division Officers, one of them to be entirely and solely in charge of the Kuttanad area consisting of the taluks of Parur, Vaikam, Shertala, Kottayam, Changanachery, Ambalapuzha and Kartikapalli and with his headquarters at Alleppey, and the other officer to be in charge of the rest of the State with his headquarters at Trivandrum. The Committee have also defined their functions, and recommended that it should be impressed on them that they were not only P. W. D. officers but they were also Irrigation Officers and that they should go about and freely mix with the people, obtain their views and consult them with regard to the works that should be carried out. They were also expected to attend to the improvement of communications where they affected irrigation, and also investigate into the cause of the frequent flood damages, which cause such devastation in the northern parts, of Travancore. It will thus be seen that the work expected of this Division was of a very extensive nature and scope. I forgot to mention that the Committee in their proposal suggested that this Division should be formed omitting the Kodayar Project and that it should concern only with the rest of the State. I am in entire agreement with the Committee on this point and I think it will be wiser to leave the Kodayar Project out of this altogether. This is a large Project and I do not think that we should leave it to the attention of only a Sub-Division Officer with a Division Officer at Trivandrum. It is essential, I think, to have an Executive Engineer always at Nagercoil for this Division Having an Executive Engineer at Nagercoil, I would leave with him all minor irrigation works south of the Kuzhittura river. There are a few minor irrigation works going on in the Vilavankod taluk and as his jurisdiction stops there, he can continue to control them. The new Irrigation Executive Engineer, therefore, would have control of all irrigation works from the Kuzhittura river northwards up to the Cochin frontier. I cannot, however, agree altogether with the Committee's conclusions that the rest of the State could be sub-divided, if we ought to have any sort of real supervision and proper control over the quality of work and the expenditure incurred. If we agree to one Sub-Division Officer for the Kuttanad area, I leave it to you to visualise the extent of the territory which the other Sub-Division Officer will have to control. I am rather in agreement with Mr. Kuriakose, who was one of the members of the Committee, that the northern taluks of Muvattupuzha and Todupuzha should not be left to the attention of one Sub-Division Officer stationed at Trivandrum. I consider it very necessary to have a Sub-Division Officer stationed in the north with his head-quarters at Muvattupuzha or Perumbavur.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know what Mr. Kuriakose has said, because the Chief Engineer stated tha the was in agreement with Mr. Kuriakose ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : He wrote a letter to the Committee suggesting that there shou'd be a third Sub-Division Officer, whereas the Committee recommended only two. He wanted that officer to have charge of the works in the northern taluks.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) What is the definite proposal of the Government ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I am coming to that.

DEPUTY PRESIDENT : Would you take much more time ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I want only some little time.

DEPUTY PRESIDENT : You have got only two minutes more.

MR. L. H. JACOB (*Ag. Chief Engineer*) ; With regard to the Sub-Division Officers, the Committee recommended only two and my proposal is that we should have three Sub-Division Officers, one with his headquarters at Alleppey, another with his headquarters at Quilon and a third with his head quarters at Muvattupuzha or Perumbavur. This is only a matter of detail which can be considered later.

Next to the Kodayar Project, the areas which are subject to paddy cultivation are the northern taluks of Kunnatnad and Muvattupuzha which have a wet land area of 61,000 acres and 46,000 acres respectively or a total of 1,07,000 acres, as against only 53,346 acres under the Kodayar Project. So I think the members will agree with me in saying that they are entitled to have a Sub-Division Officer.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : May I know what portion of the amount now demanded is to be spent towards salary and what portion of it is to be spent towards the project proper, that is to say, towards construction works ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Rs. 58,000 will go towards works, and Rs. 42,000 towards establishment. The recommendation of the——

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) Sir, may I know -

DEPUTY PRESIDENT : Let him at least finish his sentence before you question him. He was just in the middle of a sentence.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : I thought he had finished his sentence,

DEPUTY PRESIDENT Now that Mr. Jacob has been interrupted in the middle of a sentence and does not seem to proceed, you may put your question.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Sir, may I know whether it is the intention of Government to make suitable amendments to the existing Irrigation Regulation ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Let me finish my speech. The recommendation of the Committee was to make an annual allotment of Rs 5 lakhs towards these works. It was of course not possible

[Mr. L. H. Jacob].

to raise the expenditure to that figure. Further there was the preliminary work to be gone through in forming a new Division. It will take some time for us to prepare regular schemes for expenditure. That is why for this year we are only asking for an instalment of Rs. 1 lakh. The formation of an Irrigation Board and the amendment to the Irrigation Regulation will be considered later. The amendment to the Regulation will be possibly taken up after the Irrigation Executive Engineer has had the time to study all its aspects. I hope the House will accept the grant.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : May I know whether this scheme will have any adverse effect upon the extension or supplementing of the Kodayar Project of irrigation ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : No, it has nothing to do with the Kodayar Project.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Sir, my question was whether this scheme providing for minor irrigation will have any adverse effect on the Kodayar system of irrigation.

MR. L. H. JACOB (*Ag. Chief Engineer*) : No.

MR M. SIVATANU PILLAI (*Tovala*) : May I know from the member whether under this scheme the abolished Sub-Division in the Kodayar Project Division will be restored in as much as the minor irrigation works under the Project have also been brought under the Divisional Officer at Nagercoil ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I have explained that all the works south of the Kuzhittura river will remain with the Executive Engineer at Nagercoil and it is only proposed that the new officer will have control of works from the Kuzhittura river northward up to the boundary.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member whether Government have any objection in having the minor irrigation works placed under the control of the Land Revenue Commissioner instead of under the Public Works Department ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : The whole scheme is that minor irrigation should be under the P. W. D.

MR. S. J. NAIR (*Nedumangad*) : I want to know whether Government have any objection to transferring the control to the Land Revenue Commissioner.

DEPUTY PRESIDENT : There is no proposal like that or allied to that before the House.

MR. L. H. JACOB (*Ag. Chief Engineer*) : That would be quite impracticable.

MR. S. J. NAIR (*Nedumangad*) : May I know whether new officers are to be appointed for this work ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Being a new Division, new officers will be appointed.

MR. S. J. NAIR (*Nedumangad*) : Are there not qualified Sub-Division Officers now in the Department ?

MR. L. H. JACOB (*Ag. Chief Engineer*): If the officers already in the department are to be taken, their posts will have to go to new men in any event.

MR. S. J. NAIR (*Nedumangad*): Is it not possible to reduce the expenditure on account of salary by appointing the officers already in service for this section?

MR. L. H. JACOB (*Ag. Chief Engineer*): No, I am afraid, not.

(Mr. Ramakrishna Panickar and Mr. Thanu Pillai both stood up to ask questions.)

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): May I know from the member the proportion obtaining in the P. W. D. between the cost of the staff and the cost on works?

MR. L. H. JACOB (*Ag. Chief Engineer*): Sir, I have already sat down.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Sir, on a point of order, Sir, can two members be standing at the same time?

DEPUTY PRESIDENT: The real difficulty will arise only if two members stand and speak at the same time. Two or twenty members may stand but cannot speak at the same time.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether members who are not speaking should stand in their seat?

DEPUTY PRESIDENT: After all I do not think this matter is a very important one.

MR. M. SIVATANU PILLAI (*Tovala*): Am I to understand that the Government member has resumed his seat?

DEPUTY PRESIDENT: That is what I understood.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I stood up to put a question to Mr. Jacob, but, because Mr. Ramakrishna Panickar also stood up, I sat down.

DEPUTY PRESIDENT: I do not think we need adjudicate upon those points. For the present, let us take it that Mr. Jacob has sat down.

MR. M. N. NAIR (*Kottayam I*): Sir, I rise to support the motion. In my budget speech I raised two points, namely, one about flood damages in Kuttanad and the other that the department itself is doing some harm to minor irrigation. I am glad to hear from the member that one Sub-Division Officer is to be appointed for the Kuttanad area with headquarters at Alleppey. In this connection, I would like to remind this House that during the budget speech I was supported by one member, who is no less than the Deputy President himself, in my statement that Kuttanad is in need of drainage while South Travancore is in need of irrigation. I do not know whether the funds now allotted are enough for such work. The Kuttanad flood damages cannot easily be prevented. I think an able officer will have to be deputed to investigate how best the flood damages that are usually occurring in Kuttanad and that do harm especially to the reclaimed portion of the

[Mr. M. N. Nair.]

Vembanad Kayal could be put down. Anyhow it is a good sign that special attention is going to be paid to the matter. I want to say that a special bund which was put up by the department on the Ettumanur Punnathara road is doing great harm to the sugar-cane and paddy cultivation in that locality. After making my budget speech, I went and enquired of the Kottayam Engineer whether any attention was being paid to that matter. I was glad to hear from the authorities concerned that they have enquired into the matter and found that the grievances were true. But I think the grievances have not completely been remedied yet. I hope these works will be attended to. I therefore gladly support the motion before the House.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Sir, so far as the sum of Rs. 58,000 out of the one lakh asked for is concerned I am in entire agreement with the Chief Engineer, nay, I want to see that a much larger sum is allotted for the purpose of minor irrigation. But when I come to the remaining sum of Rs. 42,000 that is now asked for, for the pay of officers, I have my own doubts as to how far I can agree with the Chief Engineer, especially in view of the fact that we have not been given the necessary information. Sir, I may bring to the notice of the House the fact that, in the year 1106, when the budget for the P. W. D. was for Rs. 40 lakhs, the amount under establishment was about Rs. 5½ lakhs. That works out at thirteen per cent. Now we find that we have provision for only about Rs. 30 lakhs under P. W. D., out of which, Rs. 1,29,000 is for protective irrigation which will be brought under the new Division. So what is left with the P. W. D. exclusive of irrigation, is only about Rs. 29 lakhs. This year the cost under establishment is Rs. 5·14 lakhs, that is almost the same as it was in the year 1106 when the total expenditure was over Rs. 40 lakhs. Now Rs. 42,000 is required for paying the additional staff. I am at a loss to see why it is not possible to divert that amount out of the 5·14 lakhs, or to take away the necessary officers from the general P. W. D. and put them to this work. That is the question which I want the Chief Engineer to answer before I can make up my mind one way or the other. I should not be taken as in any way objecting to the allotment for minor irrigation. I am one who has been pleading for that. But that should not blind me to the requirements of the situation. To me, it appears that it should be quite easy for the Chief Engineer to divert forty-two thousand rupees from the amount already allotted for P. W. D. establishment or to divert the necessary number of officers from the existing P. W. D. staff to the newly proposed Division. The Retrenchment Committee made certain recommendations all of which have not been given effect to. The additional work is going to be done by the P. W. D. and the additional amount provided for work during the current year is only about half a lakh. But when we say that this half a lakh of rupees should be profitably and well spent, the Chief Engineer wants Rs. 42,000 more under establishment. Is it anything that can be heeded to in this House? I think not.

I see from the budget that there are a number of officers in the cadre of Supervisors, Overseers, and Assistant Engineers who have been made supernumeraries because of some of the recommendations of the Retrenchment Committee being given effect to. I wish to know whether the Chief Engineer has taken into consideration that fact and whether he has made provision for absorbing the supernumerary officers in the proposed Division and whether this sum of Rs. 42,000 is over and above that. Then again this year he proposes to spend only the provision already made in the budget *plus* Rs. 58,000, that is, Rs. 2·21 lakhs in all. Out of this, some amount would have been spent already. For this purpose he wants officers whose pay is Rs. 42,000. I am at a loss to understand the propriety of the demand. That should have been clearly explained by the Chief Engineer. I hope the Chief Engineer will give us the necessary information before we are called upon to vote.

MR. K. R. ELENKATH (*Kalkulam I*) : Sir, I rise to move a token cut of Re. 1 from the demand.

DEPUTY PRESIDENT : Have you given notice of the token motion ?

MR. K. R. ELENKATH (*Kalkulam I*) : I was informed that the token motion can be moved in this House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It has not been the practice in the Travancore Legislative Chamber to move token cuts on supplementary demands. There has been no precedent at all for such motions. And that is based on very good reasons. When the whole demand is submitted for vote, it is not necessary to move a token cut.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I want to ask a question of the Law Member.

DEPUTY PRESIDENT : He is only explaining a point of law.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : He is making a speech.

Article 177 of the Legislative Assembly Manual says: "Supplementary or additional demands shall be dealt with by the Assembly and the Council in the same way as if they were demands for grants."

When it is a demand for grant, we are entitled to move for a reduction of Re. 1 or Rs. 100 or oppose the demand as a whole. It is said that when a new need arises the Government could bring in a supplementary demand. Should we not be allowed to reduce that amount or any other sum which we think should be reduced ? I think that the rules of the Travancore Legislature do not in any way prohibit such motions. Strictly speaking the Law Member could not cite any precedent because this is the Sri Mulam Assembly and this is the first time that a supplementary demand is made.

MR. M. SIVATANU PILLAI (*Tovala*) : I am putting a question to Mr. Asan.

DEPUTY PRESIDENT: Mr. Asan, have you given notice of the motion?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): It is impossible to give notice, because the Assembly office is not giving the demands in sufficient time. We got the revised list only on the day on which the Assembly met and this list is revised very often. We do not know whether it will not be revised again.

DEPUTY PRESIDENT: It is incidental to Government business. But have you given notice under the law?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I have given notice to the President.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Has not the Chair a discretion in the matter of notice?

DEPUTY PRESIDENT: Let me hear the Law Member.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As regards Mr. Asan's point, namely, that he has a right to move for the reduction of any figure out of the grant submitted for vote, I quite agree with him. But the speech on that motion must be directed to show specifically why and how that reduction should and could be made; and that motion is not strictly a token motion. In token motions, you make the motion under one head and direct your speech to matters not strictly or directly covered by the grant submitted for vote. By an accepted practice or convention, such motions are allowed during the annual budget debate. They are considered relevant then, as the entire department is then thrown open. That is not so in the case of supplementary demands. Here, the motions must be strictly relevant and in the debate on the demand you cannot bring in the policy under debate except to the extent that arises strictly within the ambit of the demand made. So, token motions, as they are understood, do not arise; and if the motion is only for discussing the policy directly underlying the demand, you do not want a token motion.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know, what is the rule, on which the Law Member relies, that a token motion should not be moved under a supplementary grant?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is nowhere stated in the Rules that a token motion as such can be moved either under the annual budget or under a supplementary demand.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): But the rule I quote is self-explanatory.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): What is the rule?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Rule 176, sub-section 3 of the Assembly Manual.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does that rule or the rule for the annual budget specifically say that a token cut may be moved?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): Under Standing Orders 59 of the Sri Mulam Assembly, notice of a motion to omit or reduce any grant has to be given two clear days before the day on which the demand is to be considered. I do not know whether—

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Cannot Rule 170, section (3) of the Assembly Manual, be applied for the present discussion?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May be. But nothing is said there or anywhere else what reduction motions are relevant and could be made. That is why I said, it is all a question of relevancy. I do not say that any particular amount cannot be reduced when supplementary demands are moved. If you want that, you must suggest the means how and the reasons why it should be reduced. There must be real relation between the amount and the reason. The procedure of token motions is not specifically provided for anywhere in the Rules. Token motions are considered relevant in the annual budget debates because then the whole policy is considered to have been thrown open but not at supplementary demands which are made for a specific need and a specific need alone.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): For that matter, I will propose reduction of one rupee in the total grant of one lakh of rupees, for the purpose of discussing the policy of the department.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No; not of the department. If it is for discussing the policy underlying this demand, no token motion is necessary. In fact it is meaningless. That policy is open to discussion even otherwise.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): May I know whether what Mr. Asan quoted is not the rule with regard to the budget grant?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. That is the very reason why I say that at present token motions are irrelevant. It is a question of relevancy.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Cannot policy be discussed under the whole demand?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. When the entire departmental budget is placed as in the annual budget, but not when a specific need alone is brought up as at present.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): What is the rule that the Law Member now wants?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Under supplementary demand, reduction motions are only economy motions. Under an economy motion, general policy cannot be discussed. That is my point.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): What is the rule relied upon by the Standing Orders for moving token motions?

DEPUTY PRESIDENT: Members put questions on legal matters of procedure covered by the Rules. When the Law Member is explaining, please, do not interrupt him.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is no specific rule at all dealing with token motions. It is always a question of relevancy.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഈ വിഷയത്തെപ്പറ്റി നിയമാനുസരണമായി വേണ്ട സമയത്തുതന്നെ ഞാൻ നോട്ടീസ് കൊടുത്തിട്ടുണ്ടായിരുന്നു. എന്നാൽ മറ്റു കാപ്പികൾപോലെ അതിന്റെ കാപ്പികൾ ഞങ്ങൾക്ക് കിട്ടിയിട്ടില്ല. അതിന്റെ കാരണം എന്താണെന്ന് പറയേണ്ടതാണ്.

DEPUTY PRESIDENT: I have before me a copy of the motions supplied from the office. Under the Rules, these need not be printed. As to whether Mr. T. P. Velayudhan Pillai's motion should be allowed or not, depends on other considerations. Those who wish to speak on the admissibility of token motions under this grant can do so.

MR. K. R. ELENKATH (*Kalkulam I*): I am going to oppose the motion, in case my token motion is not allowed.

DEPUTY PRESIDENT: You cannot make a provisional opposition so far as I am able to see from the facts placed before me and also from the interpretation of Rules.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): If the Chair is going to give a ruling on this subject, I think this is a point for further discussion.

DEPUTY PRESIDENT: The member may speak.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): It appears to me that the Law Member's interpretation of the Rules cannot be supported. So far as supplementary grants are concerned, whether token motions are admissible depends upon the construction of Rule 176, article (3) of the Manual. That Rule says "Supplementary or additional estimates shall be dealt with by the Assembly and Council in the same way as if they were demands for grants". So, this supplementary grant may be treated for the purpose of discussion as a regular budget grant. If therefore a token motion is admissible in the case of demands for grants, such motions are admissible in regard to supplementary estimates as well. Whether it is by convention or otherwise, the usual practice for discussing the policy of the department during budget demands for grants is to make token motions upon the particular demand. That has been established by precedent and is not denied by the Law Member. What we have to see is what the procedure now is with regard to demands for grants, and at present if a token motion is admissible in regard to demands for grants, it is equally admissible in respect of supplementary grants also. In other words, if, according to Rules and precedents, token motions are admissible in regard to demands

for grants, the same procedure must be applied to supplementary grants also. So, it will be quite wrong to disallow a token motion on the ground, either that there is no specific rule in regard to it or that it has been established by convention. Further, what the Law Member said was that we can discuss the policy of the department under this grant itself, without moving a token motion. That being the case, I fail to see why we should not move a token motion on it.

Another difficulty also will arise if a token motion is not permitted. It may be, we may not want to throw out the whole demand but wish merely to discuss a question of policy and press it to a division. In that case, if the policy is discussed on the whole demand, we shall be forced to throw out the whole demand which is not our intention. That is a serious matter. If a token motion is permitted, we can enter our protest against the policy which is disapproved by a successful vote on it while the demand itself may be granted.

Without saying what exactly the objection is and how forcible it is, the argument of the Law Member will not avail. Therefore, it appears to me, whatever practice and rules obtain in regard to regular budget demands for grants equally apply to supplementary grants also.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If a token motion is moved for drawing attention to a specific matter, can topics other than the specified one be discussed under a supplementary grant ?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : I wish to know what is the difficulty of the Law Member.

DEPUTY PRESIDENT : This kind of question cannot be answered. What Mr. Changanachery Paramesvaran Pillai says on questions of law is not binding upon the House. There may be considerable value attached to that. But if you elicit information, that will be only Mr. Paramesvaran Pillai's opinion. So, I do not think that question need be answered.

MR. M. SIVATANU PILLAI (*Tovala*) : I agree with the Law Member in holding that a token motion does not lie in a supplementary grant. To understand the point, I will point out the difference between a supplementary demand and a demand during budget time.

A supplementary demand could be made only under two conditions. The first is,

> "The amount voted in the budget or a grant for which the vote of the Legislature is necessary is found to be insufficient for the purpose of the current year."

The second is,

> "A need arises during the current year for expenditure for which the vote of the Legislature is necessary upon some new service not contemplated in the budget that year."

[Mr. M. Sivatanu Pillai.]

To meet the circumstances that exist under these two conditions only, a supplementary grant can be made. The question here is, by moving a supplementary demand, firstly whether the policy which was adopted at the budget session could be extended, that is to say, with reference to the insufficiency of provision for a particular demand already granted. Secondly, unforeseen circumstances necessitating a demand for a supplementary grant is a new policy or issue and as such in a demand like this, there may not be two distinct issues or aspects.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know how the interpretation of these rules becomes relevant in the question before the House, namely, whether token motions can be allowed?

DEPUTY PRESIDENT: The Chair is entitled to the benefit of the opinions of the members.

MR. M. SIVATANU PILLAI (*Tovala*): So to put it briefly, a supplementary grant contemplates two circumstances. One is a policy which has been already accepted at the time of the budget and the second is a policy which has become new, surprising as it is, because of unforeseen circumstances. Here in this particular demand, the whole policy of the minor irrigation department is in issue. As such, as the Law Member elicited from the interrogatories, the point could be argued in two ways.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is the member aware that the provision is only for the separate formation of the irrigation department under the P. W. D?

MR. M. SIVATANU PILLAI (*Tovala*): Of course, it comes under the P. W. Department. It has a reference to the question of policy of providing separately for minor irrigation and as such it is only a single policy or issue and so no token motion could lie here. We have to understand that token motions admit of different points of view. Such being the case, a token cut in a supplementary demand (covering only one issue or point of view) cannot lie.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): I support Mr. Changanachery Paramesvaran Pillai's point of view. Section 176, article (3) reads that supplementary or additional estimates shall be dealt with by the Assembly in the same way as if they were demands for grants. For argument's sake, assume that this was a grant brought at the budget. We could then have moved a token cut and argued on it. If that position is granted, the same thing could be done even now. If this demand had been moved when the budget is presented, it is quite competent for us to move a cut motion and argue on it. That right is not in any way to be deprived, simply because it is a supplementary grant. There is no meaning in quoting clauses (*a*) and (*b*) of Rule 176 of the Manual. They only say when a supplementary grant can be moved.

Secondly, there is no meaning in quoting precedents. This matter is *res integra* so far as we are concerned. In fact, the Sri Mulam Assembly was constituted for the first time last year and this is a supplementary grant that has first arisen. What the practice in previous Councils was is not the question at issue.

Any sort of interpretation which deprives this Assembly of its rights to move a token motion should not be granted.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Sir, since a matter of procedure is involved in the discussion, I also wish to offer a few observations upon the point under discussion. So far as I can make out, I think there was no room for, discussion, for, according to the learned law Member, even without the token motion in question, any question may be discussed when a supplementary grant is brought out. If without a token motion the policy underlying a supplementary grant is liable to be discussed, how can such right be minimised by the introduction of a token motion for discussion on that particular motion. That is exactly what I fail to understand. Therefore the contention of the learned Law Member that no token motion can be introduced in the discussion of the supplementary grant is untenable. As for the other question, apart from what the Law member is prepared to concede by way of argument upon the intrinsic interpretation of the rule contained in the Manual, that is quite clear to this extent. That is to say Rule 176 on page 51, sub-clause 3 says—

"Supplementary or additional estimates shall be dealt with by the Assembly and the Council in the same way as if they were demands for grants."

No doubt, one thing is clear from the wording of that sub clause that supplementary grants are not identical with demands for grants. The expression "as if" clearly implies that aspect of the matter. But so far as the handling of the supplementary grant is concerned, it should be dealt with as if they are demands for grants; and turning to that aspect of question, that is the question of demands for grants, we see on page 49, Rules 167, 168, 169 and 170 which cluster round the question of demand for grants. With respect to the budget it is stated that there would be a general discussion followed by a voting for grants. If it is with respect to the latter portion alone that the supplementary grants are being elevated to the position of the budget, there should have been a general discussion upon the supplementary grant also. But that is not so provided. It is only with respect to the voting on grants that the parallelism between supplementary grants and demands is introduced. So what particular procedure is adopted in the matter of voting upon demands will have to be followed in voting upon grants also. It is only a question of procedure. It will have to be followed in the matter of supplementary grants also. If at the time of voting of a grant, token motions are admissible, I cannot really understand why they need not be admissible at the stage of supplementary grants. The learned Law Member himself says that even without the assistance of a token motion we can discuss it. The introduction of a token motion is out of place.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member know the procedure of the Indian Legislative Assembly?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I do not know, I admit. The matter has to be interpreted according to the rules as they stand.

MR. M. SIVATANU PILLAI (*Torala*): May I know whether a motion under the token cut could admit of a discussion with regard to repairing of roads, communications, and channels as it is expected in a discussion of a demand for grant?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The previous Council has been allowing even that.

DEPUTY PRESIDENT: I am really thankful to both sides of this House for the argument on this question and I am particularly glad because opinions have emanated from eminent lawyers who happen to be members of the House. I have bestowed sufficient attention on this point and have listened to the various arguments with care. So far as the point raised by the learned Law Member is concerned, he made a distinction between an extension grant and a grant which is relating to a question of policy. It was conceded by the Law Member that even in opposing a motion for grant the whole policy may be discussed. Rule 176 sub-clause 3 says—

> "Supplementary or additional estimates shall be dealt with by the Assembly and the Council in the same way as if they were demands for grants"

There is distinction between substantive law and adjective law. In this case it is all a case of procedure, that is adjective law. So if one part of the procedure is applicable for motions for supplementary grants, it follows that other provisions of the law must equally apply. And unless we have got certain forms, the discussion would not be conducted in a proper manner or in a useful measure. I think therefore the wording of sub section 3 of clause 176 being explicit and as it is provided that these questions shall be dealt with in the same way as if they were demands for grants without any reservation, I rule that a token motion will be quite in order (*Hear, Hear.*) And with regard to the other point as to notice, in the special circumstances referred to by Mr. Velayudhan Pillai, I am for excusing any irregularity and allowing the motion. Mr. Velayudhan Pillai may therefore make his motion.

MR. K. R ELENKATH (*Kalkulam I*); Sir, I was speaking—

DEPUTY PRESIDENT: Have you got a motion?

MR. K. R. ELENKATH (*Kalkulam I*): Yes.

DEPUTY PRESIDENT: But Mr. Velayudhan Pillai's case stands on a better footing. So Mr. Velayudhan Pillai will move.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*). സർ, ഈ സംസ്ഥാനത്തുള്ള മൈനർ ഇറിഗേഷൻ ജോലികളെ നിർവ്വഹിക്കണമെന്നുള്ള ഉദ്ദേശത്തോടുകൂടി സൃഷ്ടിക്കുന്ന പ്രത്യേക പൊതുമരാമത്തു ഡിവിഷന്റെ ആവശ്യാർത്ഥം ൧൩ ലക്ഷം രൂപാ അനുവദിക്കണമെന്ന് അഭ്യർത്ഥിച്ചുകൊണ്ട് ഈ സഭയുടെ അംഗീകാരത്തിനു സമർപ്പിച്ചിട്ടുള്ള ഡിമാൻഡിൽനിന്നു ഒരു രൂപാ കുറവു ചെയ്യണമെന്നുള്ള ഉപക്ഷേപം ഞാൻ ഹാജരാക്കിക്കൊള്ളുന്നു. ഈ ഉപക്ഷേപം ഹാജരാക്കുന്നതിന് എന്നെ പ്രേരിപ്പിച്ച സർവ്വപ്രധാനമായ സംഗതി ജലസേചന വിഷയമായ

സംഗതികളിൽ ഡിപ്പാർട്ടുമെൻറധികാരികൾ പ്രദർശിപ്പിച്ചു വരുന്ന അക്ഷന്തവ്യമായ അനാസ്ഥയേയും ഉത്തരവാദിത്വരാഹിത്യത്തെയും തൻമൂലം പൊതുജനങ്ങൾക്കുണ്ടാകുന്ന കഷ്ടനഷ്ടങ്ങളെയും ഈ സഭയുടെ ശ്രദ്ധയ്ക്കു വിഷയമാക്കണമെന്നുള്ള യഥാർത്ഥമായ ഉൽക്കണ്ഠമാത്രമാണ്. ഇതിലേയ്ക്കു ഗവൺമെൻറിൽനിന്നും സദുദ്ദേശപൂർവ്വം എത്ര സംഖ്യ അനുവദിച്ചാലും ആ വക ജോലികൾ നടത്തുന്നതിനായി നിയുക്തരാകുന്ന ഉദ്യോഗസ്ഥന്മാർ ആയതു് വേണ്ടവിധം നിർവ്വഹിക്കാത്തപക്ഷം ഉദ്ദിഷ്ടഫലപ്രാപ്തിയ്ക്കു പ്രായേണ വിഘാതം നേരിടുമെന്നുള്ളതു് അവിതർക്കിതമാണ്. സംസ്ഥാനത്തിൻെറ നാനാഭാഗങ്ങളിലുമുള്ള ജലസേചന ജോലികളുടെ താരതമ്യേനയുള്ള അത്യാവശ്യകത മനസ്സിലാക്കി പ്രവർത്തിക്കുന്നതിനു നിശ്ചിതമായ ഒരു കർമ്മപദ്ധതി രൂപവൽകരിയ്ക്കുകയും തദനുസാരം പ്രവർത്തനം നടത്തുകയും ചെയ്യേണ്ടതു് അത്യന്താപേക്ഷിതമായിട്ടുള്ളതാകുന്നു. മുൻപുണ്ടായിരുന്ന റോഡുബോർഡു പോലെ ഈ വിഷയത്തിൽ എല്ലാ താലൂക്കുകളിലേയും ജനപ്രതിനിധികൾ അടങ്ങിയ ഒരു ഇറിഗേഷൻ ബോർഡ് രൂപീകരിച്ചു ആ ബോർഡിൻെറ ഉപദേശാനുസരണം അത്യാവശ്യകതയുടെ ഗുരുലഘുത്വം പരിഗണിച്ച് പ്രാദേശികമായ കാര്യങ്ങൾ കാലവിളംബമന്യേ നിർവ്വഹിക്കുന്ന പക്ഷം ആയതു പൊതുജനങ്ങൾക്കു കൂടുതൽ പ്രയോജനകരമായിരിക്കുന്നതാണ്. ഈ സംഗതി ജനപ്രതിനിധികൾ ഇതിനു മുൻപു പലേ പ്രാവശ്യവും ഗവൺമെൻറിൻെറ ദൃഷ്ടിയിൽ പതിപ്പിച്ചിട്ടുണ്ടെങ്കിലും അതർഹിക്കുന്ന വിധത്തിലുള്ള ശ്രദ്ധപതിപ്പിച്ചു കാണായ്കയാൽ വീണ്ടും നിർബന്ധപൂർവ്വം ആവശ്യപ്പെടുന്നതാണെന്നുകൂടി പ്രസ്താവിച്ചുകൊള്ളട്ടെ. വല്ലകാരണവശാലും ഒരു ഇറിഗേഷൻ ബോർഡ് രൂപവൽകരിക്കുന്നതിനു പ്രതിബന്ധമുള്ളതായി ഗവൺമെൻറു കരുതുന്ന പക്ഷം ഓരോ താലൂക്കുകളിലും ജലസേചനജോലികൾ ആരംഭിക്കുന്നതിനു മുൻപായി അതാതു നിയോജകമണ്ഡലങ്ങളിലുള്ള ജനപ്രതിനിധികളുമായി ഡിപ്പാർട്ടുമെൻറധികൃതന്മാർ മുൻകൂട്ടി ആലോചന നടത്തിയതിനു മേൽ എന്തു ജോലിയാണ് പ്രഥമമായി നടത്തേണ്ടതെന്ന് നിശ്ചയിക്കുവാനുള്ളതും അതിനെ തുടർന്നു അതാതു പ്രദേശങ്ങളിലെ ജലസേചനജോലികൾ നിർവ്വഹിക്കാനുള്ളതും ആണെന്നു ഞാൻ ഗവൺമെൻറിനെ സാദരം ഉൽബോധിപ്പിച്ചുകൊള്ളുന്നു.

MR. K. R ELENKATH (*Kalkulam I*): In supporting Mr. Velayudhan Pillai's motion, I bring to the kind notice of Government that, although an Irrigation Division is essential, in the working of it certain aspects have to be considered. Far from opposing any principle

[Mr. K. R. Elenkath.]

involved in it, I should think that the necessity of forming a separate Division for irrigation work has been felt for long and representations have been made in the Sri Mulam Popular Assembly, and if I am correct, on the floor of the Legislative Council, and it has been but proper that at least a suggestion has been brought by the Government to this House. The Chief Engineer told us that he is going to accept the recommendations of the Minor Irrigation Committee as they are. Regarding this, I have only to say that I find no reason why the Kodayar Project Division should be excluded from the jurisdiction of the Irrigation Division. In that case I should like to know from the Government member whether the present Division Officer who is at Nagercoil, is made free from all other works, I mean non-irrigation works. I may bring to the notice of Government that it was last year that one Sub-Division in the Southern Division was taken away and many of the maistries working in that Division were dispensed with. In this respect, I doubt whether the present staff will be able to cope satisfactorily with the non-irrigation works in South Travancore. As my friend, Mr. Pattam Thanu Pillai, pointed out, the proposal for the salaries and allowances of officers come to 42 per cent. of the grant proposed. I strongly object to it and I am of opinion that at least a large percentage, say 75 per cent. of it should go for the construction of new works. I may bring to the notice of the Chief Engineer that in South Travancore there are many tanks which have been converted into *maidans*. It would but be proper to place the whole State under an Irrigation officer, so that that branch of the P. W. D. work may be efficiently carried out.

If this Irrigation Division is not going to benefit South Travancore in any way, I would strongly protest against its formation. It will be but proper that the irrigation of the whole State is brought under the control and supervision of a special Division Officer. It would facilitate the work both from the point of view of the public as well as of officers in the execution of the work at the proper time and in the most efficient manner. In bringing these points to the notice of the Government, I support the token motion of Mr. Velayudhan Pillai.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): Sir, I support the motion. It will be admitted on all hands that the department which is to be newly organised is one which will—

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to a point of order. We are now discussing the token cut.

DEPUTY PRESIDENT: Are you opposing the token motion, Mr. Ramakrishna Panickar?

MR. V. RAMAKRISHNA PANICKAR (*Kartikapallai II*): I am supporting the motion.

DEPUTY PRESIDENT: It is the token cut that is being considered now.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapallai II*): I am only supporting the motion.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Sir, I rise to oppose the token motion and I support the motion for the grant in its entirety. I would propose the creation of three separate Divisions in Travancore with their centres, one at Perumpavoor to represent North Travancore, another at Alleppey and the third at Trivandrum. I think that is a good proposal. The proposal to spend Rs. 58,000 for the construction of the works proper as compared with Rs. 42,000 by way of salaries to officers for the new Division is not at all objectionable as some may seem to think. What we require is attention to the works at the proper time. If only proper attention was given to existing works so that slight repairs may have been attended to at the proper time, much damage could have been prevented. Speaking about minor irrigation works in North Travancore about some of which I have personal knowledge, during the last flood the Periyar caused small breaches in various places. These breaches were left uncared for and gradually they became bigger and bigger and the whole portion became silted up. So what is necessary is the bestowal of greater attention at the proper time and if such attention is paid there will be necessity in few cases for undertaking fresh works in connection with minor irrigation. Moreover it is wrong to discourage the Engineering Department at this time when, for the first time, it has come forward with a proposal which we all desire and in order to give sufficient enthusiasm to the department I support the motion and oppose the token cut.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether we are discussing the general motion or the token cut?

DEPUTY PRESIDENT: I have made it very clear that we are disscussing the token cut.

MR. S. J. NAIR (*Nedumangad*): May I know whether additional token cuts may be brought?

DEPUTY PRESIDENT: We are at one token motion now. I am not prepared to give any legal advice as to whether more token cuts may hereafter be brought or not.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, the Chief Engineer thought it fit to reject South Travancore from this scheme of minor irrigation. He was endeavouring in his speech to show that Kodayar being a major Irrigation Division it was not proposed to bring that under this scheme. I fully admit the force of that argument. But I do not understand why immediate attention should not be paid with regard to those places outside the commanded area. Some years ago Government thought it fit to institute a Minor Irrigation Section in South Travancore for the purpose of restoring the utility of those tank-beds by the side of the Aramboly frontier. For about six months that Section was working and subsequently it was dissolved. I do not know

[Mr. M. Sivatanu Pillai.]

the reason for doing so. There are ever so many tank-beds beyond the Kuzhittura river which lie barren and which if properly attended to could be utilised to irrigate, and thus great benefit brought to the people. I would bring to the attention of the Chief Engineer the necessity for bringing those places outside the commanded area also under this system. I would like to have a definite answer to this point from the Chief Engineer in the course of his reply.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I rise to a point of order. Can a member bring local needs to the attention of the House in discussing a token cut like this?

DEPUTY PRESIDENT: The member ought to have raised that point when Mr. Sivatanu Pillai was speaking. That question does not arise at this stage.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, I rise to support the token motion in the sense that I would like to have an assurance from the Chief Engineer that there would be some Committee from this House or an independent Irrigation Board composed, of the representatives of each Division so that the officers residing in each Division may be in intimate touch with the local conditions. Especially in North Travancore there is constant visit of floods and people are afraid that the formation of big schemes, like the Cochin Harbour works, are partly responsible for these floods. Because of these heavy floods and the neglect of minor irrigation works it cannot be denied that the people are put to much loss of a serious nature. So I think that if some local committee or a committee composed of the members of this House is formed, it will bring to the official's notice the needs of each locality, and thereby much harm could be prevented. These dangers can be foreseen in time and they can, if proper attention is bestowed, be prevented. If remedies are to be resorted to after the mischief has already been done, it may not after all be worth while. If the Chief Engineer is prepared to accept this suggestion, I think the present proposal will have our entire support.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Sir, I support the cut motion. It is a very long time since the public of Travancore began to agitate for greater attention being paid and better arrangements being made by Government for the investigation and execution of irrigation works in the State. No doubt, in deference to the wishes of the people as expressed by a motion for the adjournment of this House brought forward by myself some time back, the Govenment appointed an Irrigation Committee which concluded its enquiry by making a number of usefull recommendations. Now it is about two years or more since the Report of that Committee has been submitted to Government and still Government have not seen their way to coming to a final decision on the several recommendations made by the Committee. Now the Government come forward with a proposal to set up a separate department of irrigation. Speaking for myself, I am not against such a proposal. But I am surprised to find that the

Government have come forward with a proposal which involves the expenditure of a huge sum of money, a good portion of which goes to maintain a large staff. Now one of the main recommendations of the Minor Irrigation Committee is that a sum of Rs. 5 lakhs should be set apart for irrigation purposes each year. Mr. Jacob in reply to a question put by one of my friends said that that suggestion has not been considered and no final decision arrived at by Government on the same. Now I ask what is the use of setting up a separate department of irrigation without allotting sufficient funds for irrigation works. Therefore the point that I bring to the consideration of the Government is that along with setting up a separate agency the Government must at once allot sufficient funds for works. No time should be lost in accepting the recommendation of the Committee for setting apart Rs. 5 lakhs every year for minor irrigation.

Another point that I want to bring to the notice of the House is that, in the formation of the Special Division contemplated in the new scheme, sufficient importance has not been given to South Travancore. I speak with special reference to my taluk. Till some time back there was a Special Division for Neyyattinkara. I think Mr. Jacob will not deny the fact that when he thinks of minor irrigation, Neyyattinkara must come into prominence before his eyes. I therefore request Mr. Jacob and Government to consider the necessity of establishing a separate Sub-division for the Neyyattinkara taluk.

MR. E. V. KRISHNA PILLAI (*Pathanamtitta*): Sir, I move that the question be now put.

MR. L. H. JACOB (*Ag. Chief Engineer*): Sir, I am sorry I was not able to explain fully all the points raised by various members at the short time at my disposal. I think there has been some misunderstanding with regard to the scheme. The whole staff that I am now asking for is not intended solely to attend to irrigation matters. In the reorganisation of 1098, a reduction of staff was effected. Before 1098, we had one Chief Engineer, one Deputy Chief Engineer, seven Executive Engineers, sixteen Assistant and Sub-Engineers, forty-eight Upper Subordinates and twenty-two Lower Subordinates and one Manager in the Chief Engineer's Office. The effect of the reorganisation was the reduction of one Deputy Chief Engineer, two Executive Engineers, two Assistant and Sub-Engineers, fifteen Upper Subordinates, one Lower Subordinate and one Manager. As the House can very well see, two full Divisions, with all their staff, were abolished and the work of these two Divisions was added on to other Divisions. The work of the Southern Division was added on to the Nagercoil Division, and the saving effected was about Rs. 37,000 in the executive establishment alone. The ministerial staff, however, was increased at that time. The net result of the reorganisation of 1098 was a reduction of the executive staff and an increase of ministerial staff. Now we find that the reduction of the executive staff was very ill-advised. There is a great deal of lack of supervision. It is often the complaint in this House that works provided for in the budget are not carried out

[Mr. L. H. Jacob.]

and that irrigation works are not attended to. I can assure you that it is due to want of staff to supervise and execute works. Sir P. Rajagopalachariar stated that the ratio of 13 to 100, for staff, or even 16 to 100, was too low for good work. What we saved in establishment charges was probably being lost several times over by bad work owing to inadequate supervision. Sir P. Rajagopalachariar said that an expenditure of 20 per cent. of the outlay on establishment cannot be considered excessive.

MR. M. SIVATANU PILLAI (*Tovala*): In view of the fact that the Southern Division was abolished, may I know whether, under the proposed scheme, the minor irrigation works in the Nagercoil Division will be entrusted to the proposed new Division?

MR. L. H. JACOB (*Ag. Chief Engineer*): I will come to that.

However, the reduced executive staff was carrying on heavy work from 1098 to 1108, when further reduction of staff was made on account of financial stringency. Three Sub-Divisions and six Sections and all their staff were abolished.

DEPUTY PRESIDENT: I do not want to interrupt the member. But, I would suggest that the speech may be confined to the statement of the necessary arguments and facts especially considering the limitations of time. I may just inform Mr. Jacob that he has about 6 minutes more, and suggest to him that, if the specific points raised by the non-official members are answered, that will be conducive to proper discussion.

MR. L. H. JACOB (*Ag. Chief Engineer*): I am trying to explain that, Sir. Our expenditure on works comes to nearly 5 lakhs of rupees, in each of the existing Divisions and I would ask the members whether this work also could be added on to any of these Divisions. There are at present five territorial divisions in the State.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): We cannot hear the member and we are not able to follow him. The one point for which alone we want answer from the Chief Engineer is whether he is prepared to accept our proposal for the formation of a Committee or Board?

DEPUTY PRESIDENT: Please wait till he finishes his speech.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): That is the one point that has been raised.

DEPUTY PRESIDENT: I heard other points also being raised.

MR. L. H. JACOB (*Ag. Chief Engineer*): When was such a proposal made, Sir?

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Mr. Velayudhan Pillai's cut motion wants a Board of Irrigation to be constituted. Does the Chief Engineer accept it?

MR. L. H. JACOB (*Ag. Chief Engineer*): That question will be considered

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): We want an assurance from the Chief Engineer that the Board will be constituted.

MR. L. H. JACOB (*Ag. Chief Engineer*): I cannot give an assurance just now.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether there is any objection to the Kodayar Project also being brought under the proposed new Division?

MR. L. H. JACOB (*Ag. Chief Engineer*): For the present, at any rate, we want to keep the Kodayar Project separate. Mr. Sivatanu Pillai raised the question of minor irrigation works under the Kodayar Project. It is not at all the intention of Government to give up the minor irrigation works there. They will be under the Nagercoil Executive Engineer —

MR. M. SIVATANU PILLAI (*Tovala*): May I ask whether the transfer of minor irrigation works from the Nagercoil Executive Engineer will not facilitate better work?

MR L. H. JACOB (*Ag. Chief Engineer*): I do not think so.

MR. K. R. ELENKATH (*Kalkulam I*): Have the Government any idea of reinstating the Sub-Division in the south which they recently abolished?

MR. L. H. JACOB (*Ag. Chief Engineer*): No, not at present.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether the sum of Rs. 42,000, referred to by the Chief Engineer, represents the total cost on account of the salaries of the establishment of the proposed Division, or is it an additional grant that is required?

MR. L. H. JACOB (*Ag. Chief Engineer*): That is for the salaries of the establishment of the new Division to be formed, for the rest of the year.

MR. A. THANU PILLAI (*Trivandrum-Rural*): The entire Division from the Executive Engineer down to the staff?

MR. L. H. JACOB (*Ag. Chief Engineer*): Yes.

MR. A. THANU PILLAI (*Trivandrum-Rural*): In that case, may I ask whether the Chief Engineer has taken into account, in preparing this demand, the existence of supernumerary officers in the department?

MR. L. H. JACOB (*Ag. Chief Engineer*): That will be looked into when the new Division is actually formed.

MR. A. THANU PILLAI (*Trivandrum—Rural*): As a measure of retrenchment, some posts were reduced, and, the incumbents being permanent hands, were not sent away and were retained as supernumeraries. These unwanted officers are being paid by Government even now. I want to know whether the fact that they are available has been taken into account in preparing this supplementary demand.

MR. L. H. JACOB (*Ag. Chief Engineer*): I am sorry I cannot agree that they are unwanted officers.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : If they are wanted, why were they declared supernumeraries ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : They became supernumeraries on account of the recent reorganisation.

MR. T. P. RAMASUBBA AIYAR (*Nominated*) Under the T. S. R., have not the supernumeraries to be absorbed first ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Yes.

DEPUTY PRESIDENT : You press your motion, Mr. Velayudhan Pillai ?

MR. C. V. KUNJURAMAN (*Nominated*) : ഈ ഡിമാൻഡ് മുഴവൻ വോട്ടിനിടുകയാണോ അതല്ല ഒരു രൂപാ കുറയ്ക്കണമെന്നുള്ള ഉപക്ഷേപം മാത്രം വോട്ടിനിടുകയാണോ?

DEPUTY PRESIDENT : മിസ്റ്റർ വേലായുധൻപിള്ളയുടെ ഉപക്ഷേപമാണ് ഇപ്പോൾ വോട്ടിനിടുന്നത്.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I think it is the token motion to reduce Re. 1 that is to be voted upon now ?

DEPUTY PRESIDENT : Yes,

The motion was put to vote and carried.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I demand a poll.

A poll was taken and the House divided as follows :

AYES—24.

1	Mr. P. Chidambaram Pillai.	13	Mr. M. K. Madhavan Pillai.
2	,, A. S. Damodaran Asan.	14	,, K. Mahomed.
3	,, A. Easwara Pillai (*Kalkulam II*)	15	Srimati T. Narayani Amma
4	,, A. Easvara Pillai (*Kottarakara*)	16	Mr. S. Nilakanta Pillai.
5	,, K. R. Elenkath.	17	,, K. Padmanabhan.
6	Miss Hepzibah Gnanasikamony	18	,, Edavanatt S. Padmanabha Menon.
7	Mr. M. Mahomed Haneef	19	,, Kainikkara M. Padmanabha Pillai.
8	,, Pottayil S. Krishna Panickar,	20	,, V. Ramakrishna Panickar.
9	,, N. K. Krishna Pillai.	21	,, K. Sankaran,
10	,, T. Krishna Pillai.	22	,, A. Thanu Pillai.
11	,, K. Kunjukrishna Pillai.	23	,, V. K. Velappan Nair.
12	,, K. Madhavan	24	,, T. P. Velayudhan Pillai.

NOES—19.

1 Mr. N. Abdur Rahiman Sahib.	12 Mr. N. K. Padmanabha Pillai
2 ,, C. V. Chandrasekharan.	13 ,, Kayalam Paramesvaran Pillai.
3 ,, S. Chattanatha Karayalar.	14 ,, T. P. Ramasubha Aiyar.
4 ,, Antony George.	15 ,, R. Sambasiva Aiyar.
5 ,, K. George.	16 ,, R. Sivasubrahmanya Nadar.
6 ,, L. H. Jacob.	17 ,, M. Sivatanu Pillai.
7 Rao Sahib Dr. N. Kunjan Pillai.	18 ,, R. M. Statham.
8 Mr. M. N. Nair.	19 ,, T. C. Thommen.
9 ,, B. Narayana Pillai.	
10 ,, G. Nilakantan.	
11 ,, R. Nilakanta Pillai.	

NEUTRALS—19

1 Mr. K. C. Abraham.	11 ,, K. P. Krishna Menon.
2 ,, T. K. Alexander.	12 ,, E. V. Krishna Pillai.
3 ,, V. T. Chacko.	13 ,, C. V. Kunjuraman.
4 ,, S. J. Nair.	14 ,, E. K. Kunjuraman.
5 ,, M. K. Janardana Kamath.	15 ,, K. M. Kuriakose.
6 ,, T. S. Jayantan Namboo-tiri	16 ,, P. C. Narayanan Bhatta-tiripad.
7 ,, N. John Joseph.	17 ,, P. K. Narayana Pillai.
8 ,, T. C. Joseph.	18 ,, P. K. Thomas.
9 ,, T. T. Kesavan Sastri.	19 ,, N. E. Varughese.
10 ,, K M. Krishnan	

The motion was declared carried.

DEPUTY PRESIDENT: We now proceed to the discussion of the main demand.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I support the motion before the House. I too wanted to suggest that an endeavour should be made (*Louder, please*) whether a diversion could not be made from the existing staff for this proposed new Division. But, after hearing the official member, we have to take it that such diversion is not possible. This question of abolishing a portion of the permanent staff of the P. W. D. was considered by the Retrenchment Committee, and they made certain proposals. Government have considered those proposals and have given effect to some reduction in the staff. Therefore, I do not think we can now press for further reduction from the normal P. W. D. staff.

I take it that, when the new Division is formed, the supernumeraries in the department as also the temporary officers in the several Sections for irrigation, will go into the new Division and that the temporary staff of the Irrigation Sections will not be separately seen.

In this connection, I would say one thing. There was a move some years ago for detailed rules being framed under Section 32 of the Irrigation Regulation for constituting Irrigation Boards in several

[Mr. T. P. Ramasubba Aiyar.]

suitable areas in the State. Draft Rules were framed and they were circulated to the Division Peishkars.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to a point of order. He is discussing the policy again and a further discussion of the policy does not appear to be permissible.

DEPUTY PRESIDENT: You should not raise general questions of policy, Mr. Ramasubba Aiyar.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What is the motion now before the House?

DEPUTY PRESIDENT: Members cannot be reminded what motion is before the House from time to time.

MR. A. S. DAMODARAN ASAN (*Mavelikara*). I want to know whether the motion before the House now is for one lakh of rupees or a lakh of rupees *minus* one rupee.

DEPUTY PRESIDENT: The fact that a cut for one rupee has been made does not mean that the original motion should be put to vote. The Council's opinion certainly goes a great way, but there is another party concerned, namely the Government. The Government may, if so advised, accept the reduction. So that question need not be raised now. Mr. Ramasubba Aiyar may proceed.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I only wanted to press on the attention of Government the need for considering the question again and passing rules for the formation of Irrigation Boards in suitable areas. These Local Boards will represent the needs of the people to the irrigation officers and work in co-operation with them.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I want to clear a difficulty. This Assembly has reduced the amount by one rupee and I wish to know what is the motion which has to be put to the vote of the House now. Is it a motion for a lakh of rupees or for Rs. 99,999?

DEPUTY PRESIDENT: I see that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When the motion is put to vote, it will be for a lakh of rupees *minus* one rupee.

DEPUTY PRESIDENT: The motion is for the original amount *minus* one rupee. It is not the original motion in its entirety.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I move that the question be now put.

The closure motion was put and declared carried.

DEPUTY PRESIDENT: Does the official member propose to reply?

MR. L. H. JACOB (*Ag. Chief Engineer*): No, Sir.

The demand for Rs. 1 lakh, *minus* Re 1 was put to the vote of the House and carried, and the grant was made.

ADMINISTRATION OF JUSTICE.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move for a grant of Rs. 4,033 under 'Administration of Justice'. This grant is required on two distinct items One

is for the establishment of a Temporary First Class Magistrate's Court at Changanachery. For this, I demand Rs. 2,577. Another is for the appointment of seven stenographers for the Judges in the High Court. In regard to the first item of demand, namely, the establishment of a First Class Magistrate's Court at Changanachery, I may be permitted to add that it has been brought to the notice of Government that heavy arrears have accumulated in certain Courts in the Kottayam Division, the Division First Class Magistrate's Court at Kottayam, the Second Class Magistrate's Court at Changanachery and the Stationary Magistrate's Court at Ponkunnam. This accumulation has been reported to be due to the abolition of the two Munsiff-Magistrate's Courts at Changanachery and Kanjirapalli. Some cases are as old as 1102 and the District Magistrate proposes that these arrears can be worked out by the establishment of a Temporary First Class Magistrate's Court at Changanachery for a period of one year.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether there is no case filed after 1102 which has not been decided in these Courts?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I cannot say. It is reported that some of these cases are as old as 1102, that is all I can say.

With regard to the other item, namely, the appointment of stenographers for the High Court Judges, there are six High Court Judges now and one more will be coming in shortly. Seven stenographers are thus required for the seven Judges so that they may dictate their judgments. These stenographers will be utilised also for reporting arguments in important cases. As a consequence three temporary typists will be reduced. I hope this House will grant this demand.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know why seven stenographers are required for six Judges?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The seventh stenographer is for the new High Court Judge who is coming in very shortly.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Does it mean that he is appointed only on the contingency of another High Court Judge being appointed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government have already decided on the appointment of the new High Court Judge and they hope that he will take charge very soon.

MR. S. J. NAIR (*Nedumangad*): Sir, I rise to move for a reduction of one rupee under this demand.

DEPUTY PRESIDENT: Have you given notice of your motion?

MR. S. J. NAIR (*Nedumangad*): I was informed by the Assembly Secretary that no notice is required, Sir.

DEPUTY PRESIDENT: The question of fact as to whether the Assembly Secretary has said so does not arise. Even if he has said so, that does not bind the House. Mr. S. J. Nair has not given notice of his motion in the formal way in writing to the Secretary nor obtained the permission of the Chair. So, Mr. S. J. Nair cannot make the motion.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): On a point of order, Sir, can he not move it as no member has taken objection to its being moved?

DEPUTY PRESIDENT: I am really sorry to see that it is thought that the Chair can take cognisance of the matter only when a member puts it before the Chair. If the Chair misses a point and if that is taken notice of by any member, the Chair will be grateful. But certainly, the Chair's jurisdiction cannot be ousted in that manner. So, it is quite within my right to say that Mr. S. J. Nair cannot make the motion. Mr. S. J. Nair, do you wish to speak on the motion for the grant?

MR. S. J. NAIR (*Nedumangad*): Yes, Sir. I oppose the motion for the demand of Rs. 2,577 for the establishment of a First Class Magistrate's Court at Changanachery. I oppose the motion on the ground that the authorities concerned do not appoint members of the Bar as Magistrates to-day.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to a point of order. He is talking on a question of general policy which does not arise within the scope of this demand.

DEPUTY PRESIDENT: I think the objection of the learned Law Member is a valid one.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Are we to understand that we cannot consider the necessity for appointing a seventh Judge in the High Court in this connection, for, in regard to the appointment of the seventh stenographer the question arises whether a seventh Judge is necessary or not?

DEPUTY PRESIDENT: When Mr. Thanu Pillai or any other member begins to talk about the appointment of the seventh Judge, I shall give my ruling.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I thought there was a ruling that a question of policy should not be discussed.

DEPUTY PRESIDENT: I have already given my ruling.

MR. S. J. NAIR (*Nedumangad*): There is another reason also for my objection to this motion, because, at this period of the year, that is, the middle of the year, there is no necessity for the establishment of a First Class Magistrate's Court at Changanachery.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): At what time of the year is it necessary?

MR. S. J. NAIR (*Nedumangad*): At the beginning of the Court year.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Is there any part of the year when criminals are tempted to commit more crimes than in other parts of the year ?

MR. S. J. NAIR (*Nedumangad*): I do not say so. Anyhow, since the authorities concerned have not thought it advisable to establish a Court till to-day, I submit there is no urgency for the establishment of that Court at Changanachery at present.

MR. C. V. KUNJURAMAN (*Nominated*): ചങ്ങനാശ്ശേരിയിൽ കുററങ്ങൾ കൂടുതലായി ഉള്ളതുകൊണ്ടാണോ അവിടെ ഒരു കോടതി വേണമെന്നു ആവശ്യപ്പെടുന്നതു ?

MR. S. J. NAIR (*Nedumangad*): അത്രമാത്രം ചീത്തആളുകൾ അല്ല ആ സ്ഥലത്തുകാർ.

DEPUTY PRESIDENT: If you can answer that question, you may answer it.

MR. S. J. NAIR (*Nedumangad*): I have answered it. I oppose the motion.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Sir, I support the motion. After all, in such matters it is all mere routine business that is being done ; and my submission is that the opposing of such motions would be merely a policy of obstruction, unless there are valid reasons for doing so. The appointment of the stenographers is certainly necessary so that office work might be expedited in the High Court and the necessity for a First Class Magistrate's Court at Changanachery has been a long-felt one.

MR. M. SIVATANU PILLAI (*Tovala*): How does the member make out the necessity for the seventh stenographer ?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): There are six Judges now in the High Court and we know as a matter of fact that another European Judge has been appointed. Since the appointment of the seventh Judge has been already made, and his salary is not votable, my submission is that it will be a policy of obstruction to refuse this grant. So, I support the motion for the grant.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I am really sorry that the learned Law Member has not placed the House in possession of the facts that are required to enable us to come to one conclusion or another with regard to this demand for Rs. 1,256 that is, the second item. When I got the demand paper and looked into it, I was wondering why there should be seven stenographers in the High Court. I thought that one might be for the Registrar or pobably one of the six Judges requires more than one stenographer. But now, we are told, all on a sudden, that this seventh stenographer is for the seventh Judge whom the Government have appointed. Sir, how the necessity arose for appointing a seventh Judge in Vrischikam 1109 which necessity was not felt in Karkatakam 1108, the Law Member is bound to explain. Of course, when the Government come forward with such demands,

[Mr. A. Thanu Pillai]

even though it is true that we very often allow them, it does not follow that in every case it is a matter of course that what ought to have been done at the time of the budget can be allowed to be done in the middle of the year. This is exactly one of those cases where this House ought to raise its voice of protest against such conduct on the part of Government. Here is a very important action that is taken by Government in the appointment of a seventh Judge to the High Court. That is a matter which ought to have been considered at the time of the preparation of the budget and when the budget was placed before this House. I am surprised that instead the present course has been adopted and Government come forward and say to us—"You give us seven Shorthand Reporters. One of these is for the seventh Judge." I concede that Government may appoint a seventh Judge. And even if the matter was placed before the House at the time of the budget and the House expressed itself against the appointment, Government still can appoint the Judge. But we could have discussed the matter at full length if the proposal for the appointment of a seventh Judge were placed before us at the time of the presentation of the budget.

I ask where is the necessity now. Why not wait for another eight months and place this matter before the House at the proper time? Not only that. There is the Civil Courts Powers Amendment Bill that is going to be placed before the House where various changes are suggested in the judicial machinery. The High Court may not have to do as much work hereafter as it has now to do. That has to be considered. I hope this House will agree with me and vote against the appointment of the seventh stenographer. If, for want of notice, I cannot move a cut motion I would vote against Rs. 1,456 as a whole. May I take it, Sir, that these two items will be put to the House separately?

In regard to the other six stenographers also, let us hope that that, by itself, will result in a larger disposal than hitherto. As a result of the appointment of the stenographers, the judges may be able to dispose of more work. That also goes against the necessity for a seventh Judge. If the Government is not prepared to reduce a proportionate amount from the total demand, I for one would vote against the whole grant and I hope the House will also vote against it.

As for the Changanachery court also, I must take the view that a large volume of arrears in that court could not have been the product of the last three months. That also is a contingency which the Government ought to have foreseen at the time of the budget. The Government should not be permitted to take us lightly and ask for funds at any time they like. (*Hear, hear.*) So, Sir, I oppose the demand.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Sir, in the order in which Mr. Thanu Pillai has discussed this particular demand I shall also proceed. As for the seventh stenographer I also find some difficulty. The demand for the six stenographers has arisen from six individual Judges. The seventh Judge has not made any demand. So, before a

demand is made by the seventh Judge who is not now anywhere here, to call upon this House to vote for a seventh stenographer does not appear to be quite well-founded. It may be that that learned Judge does not like the idea of engaging a stenographer for the purpose of preparing his judgments. In short, before the seventh Judge asks for a stenographer, there appears to be little justification to pre-appoint a stenographer for him.

As for the other question of the Changanachery court———

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether we are considering the demands of the individual Judges or whether we are considering the demands of the Government as a whole?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): In fact the demand has been made by the Government in pursuance of the demand made by the Judges. It is not a demand made by the Government *suo motu* without any motion from the High Court. Therefore however much the High Court might have been obscured by the medium through which the demand is made——.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Is there anything to prevent Government making the demand *suo motu*?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Absolutely nothing nor anything for us to disallow it.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Then where is the objection?

DEPUTY PRESIDENT: That is cross-examination, and it must stop.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): I bow to the Chair.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): As for the other portion of the demand, namely, the Changanachery Magistrate's Court, this House must be satisfied whether it was necessitated in the normal course of business of the Magistrates concerned. It appears that a number of cases are in arrears. Who is responsible for these arrears? Have the Government considered that aspect of the question and have they dealt with the delinquents, if any, as they deserve before they came forward with this demand? Sir, I feel no doubt the need to grant my friend's demand for a new Magistrate because anyhow the arrears are there. At the same time I would bring to the notice of the Government that the cause for the accumulation of arrears should be looked into. My support is provisional in the sense that the origin of the accumulation of the arrears will be investigated.

DEPUTY PRESIDENT: I think that there is only one kind of support (*Laughter*). The Rules provide only for support and not provisional support.

MR. P.K. NARAYANA PILLAI (*Ambalapuzha I*): True. I would however remain free to question the propriety of the demand on a future occasion, in case the matter is not investigated.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, with regard to the seventh stenographer, I may say that a European Judge has been appointed and he will be taking charge on the 1st December or so, that is, within a few days from today.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Have funds been provided for that in the last budget?

MR. KAYALAM PARAMESVARAN PILLAI: (*Additional Head Sirkar Vakil*): Not in the last budget.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is the member in a position to detail the circumstances that necessitated the appointment of a seventh Judge after the budget was passed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); The Judge's appointment is not votable and I have not got the data to say how it is considered necessary.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Though his pay is not votable, at least the House could have considered the subject as part of the budget.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall not answer that question. I will only say that the seventh Judge has been appointed. That is a fact now. He wants a stenographer. Mr P. K. Narayana Pillai has been suggesting that the seventh Judge himself may not require a stenographer. But Government presumed that he will require. It is the practice everywhere to give stenographers to the Judges. In England, the High Court Judges have stenographers; so have the Judges in British India. It is presumed that the seventh Judge too will require a stenographer. In view of what Mr. P. K. Narayana Pillai has stated, I will say this that, if the seventh Judge does not require a stenographer, then the stenographer will not be appointed.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is it proper for us to vote in anticipation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is absolutely nothing improper in voting like that. I was saying that Government presume that the seventh stenographer is required and there was very good reason for presuming that the seventh Judge will require a stenographer. That being so, why not the House sanction my demand?

In regard to the temporary Magistrate's Court at Changanachery, the reason given by the District Magistrate is that the accumulation of arrears is due to cases that accumulated in the Munsiff-Magistrate's Court. It may very probably be the fault of the system and not of any individual. That system *i. e.*, this Munsiff-Magistrate's Court system has now gone. It may perhaps be that some individual Magistrates are at fault. But whether any individual Magistrate is punished or not, it is the litigant public that will suffer. In the interests of the litigant public, I hope the House will sanction that grant.

DEPUTY PRESIDENT: Does the House want the demand to be split into two parts and put to the House?

The House agreeing, the first portion of the demand, namely, that a sum of Rs. 2,577 be granted for the establishment of a First Class Magistrate's Court at Changanachery, was then put and carried.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): If my friend would split up the second part of the demand into a demand for six stenographers and another for one stenographer I shall be glad.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have no serious objection. But I have given an assurance that the seventh stenographer will be appointed contingent on the seventh Judge requiring one. That would seem to be sufficient.

DEPUTY PRESIDENT: So we will put it, as it is, as a demand for seven stenographers.

The motion was put and carried.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I demand a poll.

A poll was taken with the following result :—

AYES—46.

1 Mr. N. Abdur Rahiman Sahib
2 ,, K. C. Abraham
3 ,, T. K. Alexandar
4 ,, V. T. Chacko
5 ,, C. V. Chandrasekharan
6 ,, S. Chattanatha Karayalar
7 ,, K. R. Elenkath
8 ,, Antony George
9 ,, K. George
10 Miss Hapzibah Gnanasikamony
11 Mr. M. Mahomed Haneef
12 ,, S. J. Nair
13 ,, L. H. Jacob
14 ,, T. S. Jayantan Nambootiri
15 ,, N. John Joseph
16 ,, T. C. Joseph
17 ,, K. C. Karunakaran
18 ,, T. T. Kesavan Sastri
19 ,, K. M. Krishnan
20 ,, K. P. Krishna Menon
21 ,, E. V. Krishna Pillai
22 Rao Sahib Dr. N. Kunjan Pillai
23 Mr. C. V. Kunjuraman
24 ,, E. K. Kunjuraman
25 Mr. K. Madhavan
26 ,, K. Mahomed
27 ,, P. C. Narayanan Bhattathiripadu
28 ,, B. Narayana Pillai
29 ,, P. K. Narayana Pillai
30 Srimati T. Narayani Amma
31 Mr. G. Nilakantan
32 ,, R. Nilakanta Pillai
33 ,, S. Nilakanta Pillai
34 ,, Edavanatt S. Padmanabha Menon
35 ,, Kainikkara M. Padmanabha Pillai
36 ,, N. K. Padmanabha Pillai
37 ,, Kayalam Paramesvaran Pillai
38 ,, V. Ramakrishna Panickar
39 ,, T. P. Ramasubba Aiyar
40 ,, R. Sambasiva Aiyar
41 ,, K. Sankaran
42 ,, R. Sivasubrahmanya Nadar
44 ,, M. Sivatanu Pillai
43 ,, R. M. Statham
45 ,, P. K. Thomas
46 ,, T. C. Thommen

NOES—3.

1 Mr. K. Kunjukrishna Pillai
2 ,, M. N. Nair
3 Mr. A. Thanu Pillai

NEUTRALS—14.

1 Mr. P. Chidambaram Pillai	7 Mr. Puthupalli S. Krishna Pillai
2 " A. S. Damodaran Asan	8 " M. K. Madhavan Pillai
3 " A. Easwara Pillai (Kalkulam II)	9 " K. A. Narayana Pillai
4 " A. Easwara Pillai (Kottarakara)	10 " Pacode A. Narayana Pillai
5 " Pottayil S. Krishna Panickar	11 " K. Padmanabhan
6 " N. K. Krishna Pillai	12 " N. E. Varughese
	13 " V. K. Velappan Nair
	14 " T. P. Velayudhan Pillai

The demand was granted.

DEPUTY PRESIDENT: Before we come to the next two items, I may say, if these two items are not controversial, then we can push it through in consideration of the fact that the Education Report has to be considered.

CO-OPERATIVE DEPARTMENT.

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I beg to move for a grant not exceeding Rs. 3,454 for the extension of the period of the Co-operative Enquiry Committee by three months from the 1st Vrischikam 1109.

MR. M. SIVATANU PILLAI (*Tovala*): May I know who is the President of the Committee now?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Mr. G. K. Devadhar.

MR. M. SIVATANU PILLAI (*Tovala*): When is he expected here?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): By the end of the month.

The demand was put and carried.

SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS OTHER THAN CO-OPERATIVE DEPARTMENT.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Sir, I move for a supplementary grant not exceeding Rs.1,600. This is intended to meet the expenditure in connection with the North Indian tour of the Superintendent of Archaeology.

MR. M. SIVATANU PILLAI (*Tovala*): May I know, what are the places he may visit?

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is the grant for the Superintendent's tour which is to come or already over?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The tour is already over. He has already gone and returned. He visited a number of places in Northern India He worked under the Superintendent, Indian Museum, Calcutta, and gained a lot of useful knowledge.

MR. M. SIVATANU PILLAI (*Tovala*): May I inform the member that his answer is quite satisfactory? (*Laughter*).

The demand was put and carried.

The Assembly adjourned at 4-32 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY

(OFFICIAL REPORT.)

FIRST ASSEMBLY.

SECOND SESSION.

Monday, the 20th November 1933/5th Vrischikam 1109.

The Assembly re-assembled in the Victoria Jubilee Town Hall at Eleven of the clock, the Deputy President presiding.

NEW MEMBERS SWORN IN.

Mr. N. Govinda Menon (*Co-opted member*) was sworn in and he signed the Rolls.

QUESTIONS AND ANSWERS

MR. R. SAMBASIVA AIYAR (*Kunntnad II*): Sir, we are at question No. 42. Last day, I put a supplementary question and it remains unanswered, because question time elapsed.

DEPUTY PRESIDENT: You may put the question again.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): May I know, in the light of the discussion of the Statham Report in this House, will the Government reconsider their decision in giving effect to the recommendations that have already been sanctioned?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The Government have accepted and given effect to certain recommendations of the Educational Reforms Committee, which called for immediate action. At the last session of the Assembly, the Chief Secretary answered in reply to a question that there were some recommendations which called for immediate action and Government have only taken action on such recommendations. I do not think that Government will reconsider and revise the action which they have taken on these recommendations.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Sir—

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Sir, with reference to the answer—

DEPUTY PRESIDENT; You cannot ask any more supplementary question to this main question.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): A word by way of explanation Sir. There is a rule that, when a member stands up, the other member has to sit down and it is only in compliance with that rule that I sat down when the question was answered, and not with a view to refrain from asking further supplementary questions. Anyhow, I bow to the Chair.

G. P. T. 998. 350.

DEPUTY PRESIDENT: The Chief Secretary replied and sat down and I found Mr. Sambasiva Aiyar sitting. If Mr. Sambasiva Aiyar had any intention of putting a supplementary question, it should have been done in a reasonable time. I saw Mr. Sambasiva Aiyar sitting silent for some time and another member Mr. T. P. Velayudhan Pillai standing up. Some time before that, the Chief Secretary to Government, as I said already, had taken his seat. Therefore Mr. Sambasiva Aiyar cannot put supplementary questions to this main question.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Sir—

DEPUTY PRESIDENT: You have also no right. Before you got up, the official member has sat down and some time elapsed and you sat down.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Am I to understand then that no member can ask a supplementary question? With regard to this, I wish to say one word. The rule is for the official member to get up when he answers and after the answer he has to resume his seat. Then we may put questions. Instead of that, what I would suggest is to depart from the usual rule and see that the official member remains standing till the questions are over.

DEPUTY PRESIDENT: Mr. Sambasiva Aiyar's right has been negatived and Mr. T. P. Velayudhan Pillai got up. Because the official member sat down, I could not allow Mr. T. P Velayudhan Pillai's question; that is the point. But if Mr. Asan wants to ask a question, it is a different matter.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I also got up, Sir.

DEPUTY PRESIDENT: I did not see that.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the present Director of Public Instruction found it impossible to carry on his work without the Deputy Director of Public Instruction?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the Director expressed that he could not carry on his work without the Deputy?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes. The Director wrote for the appointment of a Deputy Director. The question was examined. The Government were convinced of the necessity and therefore it was sanctioned.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was it ascertained from the Director that he could not wait till the Assembly session for getting the services of a Deputy Director of Public Instruction?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government found it necessary to appoint a Deputy Director of Public Instruction.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): It is stated that the recommendation with regard to strengthening of the staff in the Director's office has already been sanctioned. May I know whether it involves any extra expenditure?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was this Assembly moved for any supplementary demand?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No. The expenditure was sanctioned under Section 32 of the Regulation.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether Government hold the view that, even with regard to expenditure that has to be incurred in future, Section 32 is applicable?

DEPUTY PRESIDENT: I disallow that question.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know the reason for that, so that I may frame further questions in accordance with the ruling?

DEPUTY PRESIDENT: The Rules prescribe the manner in which questions shall be framed.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Am I to understand then that Government do not intend to move this Assembly for incurring additional expenditure?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): When the necessity for that arises, the question will be considered,

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether there was any instance in which additional expenditure not sanctioned in the budget has been incurred after the last meeting of the Assembly?

DEPUTY PRESIDENT: That is cross-examining the member. I cannot allow that.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether Government took care to know from the Director of Public Instruction that, in case the recommendation to appoint the D. P. I. as Secretary to Government is not accepted, he should not feel the necessity for a Deputy Director?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government did not enquire into that.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether Government will reconsider the constitution of the Text Book Committee in the light of the discussion in this House?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The Text Book Committee has been constituted only provisionally to meet the immediate necessity of selecting text books for the next school-year. Government will certainly keep in view the suggestions made here, when they reconstitute the Text Book Committee next year.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know when the Notification regarding prescription of text-books is published every year? In what month?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Usually, the Committee meets in November and the list is published in January.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know when the list was published last year?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): In April.

MR. A. THANU PILLAI (*Trivandrum-Rural*): And in the year before the last?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I wish to know, when the Text Book Committee was constituted this year. I want the exact date, *i. e.*, how many days before this Assembly?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The proposal was received from the Director over a month ago. I have not got the exact date.

MR. A. THANU PILLAI (*Trivandrum--Rural*): Has that Committee met?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No. The general principles regarding the constitution of the Committee have been sanctioned. Government are awaiting the recommendation about the personnel of the Committee.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know, what time will it take for that?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Very soon, probably after this meeting of the Legislature.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Under such circumstances, may I know, will the Government at least consider the question of reconstituting the Committee?

DEPUTY PRESIDENT: If you omit "under such circumstances," I can allow the question.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Yes, Sir. In view of the recent discussion on the subject, and in view of the fact that the personnel of the Committee has not yet been decided, will the Government be pleased to reconsider the———

DEPUTY PRESIDENT: Again that is an argument. Please modify the question and then ask.

MR. A. THANU PILLAI (*Trivandrum-Rural*): When the Government considers the question of personnel of the Committee, could not the general principles of the constitution be revised?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The general principles have already been approved by Government.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Have Government nothing to say in regard to the appointment of the Deputy Director? Is it not a deviation from the recommendation of the Committee? I find in the Report that an officer on Rs. 600 is enough.

DEPUTY PRESIDENT: I may say all that is allowed is a question and no explanation of a question.

MR. A. THANU PILLAI (*Trivandrum-Rural*): In view of the fact that the Committee has recommended an officer on Rs. 600 for the post of Deputy Director, what prompted Government to appoint an officer on Rs. 900 ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The appointment was made in strict conformity with the recommendations of the Educational Reforms Committee. They have stated in their Report that a senior officer of the department should be appointed as the Deputy Director immediately, so that, later on, he may become the head of the department. That is what Government have done.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): A little while ago, the Chief Secretary said that the personnel of the Text Book Committee has not been decided, but the principles underlying the constitution of the Committee were approved. May I know whether these principles find a place in the Report?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I think the principles of the constitution of the Text Book Committee are on the lines of those enunciated in the Report.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is it not the usual practice of the Text Book Committee, from year to year, to notify the last date when the authors and publishers should send up their books ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I think so.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Does the member know that any such date has been fixed so far ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The date will be fixed very soon and published.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): That being so what was the urgency for the acceptance of the principles of the constitution of the Text Book Committee by Government even a month ago ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The Director brought to the notice of Government the urgency of approving the general principles of the constitution of the Committee. Government were satisfied with it and approved the arrangement.

MR. T. K. ALEXANDER (*Kunnatnad I*): May I know whether the Committee has recommended as its Chairman Mr. Statham, the Director of Public Instruction ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Governmet*): No.

DEPUTY PRESIDENT: The fact that the official member sat down is liable to more than one interpretation. It is all a question of different ways of understanding. Mr. Velayudhan Pillai, if you have any questions to ask, you may now do so.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): റെക്കമെൻഡേഷൻ മൈനറോ മേജറോ എന്നു നിശ്ചയിക്കാനുള്ള മാനദണ്ഡം എന്താണ് എന്നു പറയാമോ?

DEPUTY PRESIDENT: You are beside the point.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഒരു റെക്കമെൻഡേഷൻ മൈനറെന്നോ മേജറെന്നോ നിശ്ചയിക്കാനുള്ള മാനദണ്ഡം എന്താണ് എന്നു ദയവായി പറയാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*). അതു പറയുവാൻ നിവൃത്തിയില്ല. ഗവൺമെൻറു ഓരോന്നിനെപ്പററിയും ആലോചിച്ചു മേജറൊ മൈനറോ എന്നു തീർച്ചപ്പെടുത്തിയിട്ടുണ്ടു് എന്നു മാത്രമേ പറയുവാൻ തരമുള്ളു.

Anchal buses running between Alwaye and Parur.

43. ***MR. M. K. JANARDANA KAMMATH** (*Commerce and Industry, North*): Will the Government be pleased to state whether the Traffic Superintendent has ordered that the Anchal buses running between Alwaye and Parur should not take passengers in them?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The answer is in the negative.

MR. M. K. JANARDANA KAMMATH (*Commerce* and *Industry, North*): ഈ ലൈനിൽ അഞ്ചൽ ഉരുപ്പടി കൊണ്ടുപോകാൻ എത്ര ബസ്സുകൾക്കു പെർമിററു കൊടുത്തിട്ടുണ്ടു്?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*). I wish to know whether that is a starred question, because, in my printed sheet, I do not find a star attached to that whereas all the other questions are starred. The official member has also answered the question.

DEPUTY PRESIDENT: We will presume, unless it is starred, Government would not have treated it for oral answers. In the printed list also there is written in bold characters, "Questions for oral answers."

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): May I know, whether the buses running along the Alwaye-Parur line will be given G. permits?

DEPUTY PRESIDENT: That does not arise. The answer to the main question being in the negative, I do not think any public interest will be advanced by putting a supplementary question.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): May I know, whether the Anchal buses running along the Alwaye-Parur line can take passengers?

DEPUTY PRESIDENT: I disallow the question.

Jenmi and Kudiyan Regulation.

44. **MR. T. S. JAYANTAN NAMBOOTIRI** (*Trivandrum Jenmies, North*): Will the Government be pleased to state:

(*a*) whether they have prescribed the necessary rules to carry out Section 26 A of the Jenmi and Kudiyan Regulation of 1071 as amended by Regulation XII of 1108; and

(*b*) if not, the cause of the delay?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) and (*b*) Action is being taken for prescribing the necessary rules to carry out Section 26 A of the Regulation.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): എന്തെല്ലാം നടപടികളാണ് നടത്തിയിട്ടുള്ളതെന്നു ദയവായി പറയുമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അതിനെ സംബന്ധിച്ചുള്ള റൂൾസ് ജന്മിക്കരം സ്പെഷ്യലാഫീസർ ഗവൺമെൻറിലേക്കെഴുതി അയക്കുകയും അതു ലാൻറുറവന്യൂ കമ്മീഷണർക്കയച്ചു അദ്ദേഹത്തിൻെറ അഭിപ്രായം വരുത്തുകയും ചെയ്തതിനുശേഷം അഡിഷനൽ ഹെഡ്സർക്കാർ വക്കീലിന് അയച്ചിട്ടുണ്ട്.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): അഡിഷനൽ ഹെഡ്സർക്കാർവക്കീൽ ഇതുവരെ മറുപടി അയച്ചിട്ടില്ലെന്നാണോ ഊഹിക്കേണ്ടതു?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അതെ.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): ഈ വകുപ്പുകൾ എത്രയുംവേഗത്തിൽ നടപ്പാക്കേണ്ട ആവശ്യത്തെപ്പററി വല്ല അപേക്ഷകളും ഗവൺമെൻറിനു കിട്ടിയിട്ടുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അതിപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല. അതിനെപ്പററി അറിയണമെങ്കിൽ ഇനി ഒരവസരത്തിൽ ചോദിക്കണം.

MR. T. S JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*) അടുത്തഭാവിയിൽതന്നെ ഇതു നടപ്പാകുമെന്നു വിശ്വസിക്കാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): ഗവൺമെൻറു കഴിയുന്നതും അതിലേക്കു ശ്രമിക്കുന്നതാണ്.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*): കുടിശിഖയ്ക്കു ഒരു കൊല്ലത്തിൽ കൂടുതൽ പഴക്കമുള്ള അപേക്ഷകളുണ്ടെന്നറിയാമൊ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അറിയാം.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*): ആ അപേക്ഷകൾ ഇന്നതരത്തിൽ കൊടുക്കണമെന്നും, അതിനു ഇത്ര ഫീസടയ്ക്കണമെന്നും മറ്റുമുള്ളതിനു വല്ല റൂൾസുമുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Gvernment*): അതിനെ സംബന്ധിച്ചാണ് റൂൾസ് തയ്യാറാക്കിവരുന്നതും നടപ്പിൽ വരുത്താൻ പോകുന്നതും.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Trravancore Jenmies, South*): ഒരു കൊല്ലം കഴിഞ്ഞാൽ കാലഹരണം വന്നുപോകുമെന്നറിയാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) ഒരു കൊല്ലം തികയുന്നതിനു മുമ്പുതന്നെ റൂൾസെല്ലാം പ്രസിദ്ധപ്പെടുത്തി ജന്മിമാർക്കുവേണ്ട സൌകര്യം കൊടുക്കുന്നതാണ്.

Revenue and expenditure in the taluks of Tovala, Agastisvaram etc.

45. ***MR. K. R. ELENKATH** (*Kalkulam I*): Will the Government be pleased to place on the table a statement showing the revenue derived from various sources from the taluks of Tovala, Agasteesvaram, Kalkulam and Vilavankod and the amount spent in those taluks on (i) Public Works, (ii) Education, (iii) Medical Relief and (iv) Sanitation, for the last ten years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government consider that the time and labour involved in collecting the information will be out of all proportion to its utility.

MR. K. R. ELENKATH (*Kalkulam I*): Of course excluding the capital works in the department, is it not necessary that the funds distributed for P. W. D. work in each taluk should depend on the revenue to be derived from that particular taluk?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): A point of order Sir. A supplementary question is put to elucidate further information. In view of the answer furnished by Government, may I know whether, any further information can be got by this question?

DEPUTY PRESIDENT: The question is relevant.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

Promotion of clerks in Sub-Registrars' Offices.

46. ***MR. T. S. JAYANTAN NAMBOOTIRI** (*Travancore Jenmies, North*): Will the Government be plassed to state:

(*a*) whether they have issued any order to the effect that the departmental Higher Test qualifications are not necessary for the promotion of clerks of Sub Registrars' offices in the grade of Rs. 20-30;

(*b*) whether they are aware that promotions are given disregarding the above order;

(*c*) whether the Government and the Director of Registration have received complaints from the aggrieved; and

(*d*) if so, the action taken?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) As the Rules at present stand, there is no objection to giving promotion to the clerks in the Sub-Registry offices to the grades up to Rs. 30, even if they have not passed the Registration Test Examination.

(*b*) Preference is generally given to those who have passed the examination in the interests of efficiency. Unpassed men are not, however, completely excluded from getting promotions. Those who have long service and are fit for efficient work are also promoted to the higher grades.

(*c*) The Director of Registration has received representations from one or two clerks praying for the rule being literally interpreted and acted on.

(*d*) Each case is considered and decided on its own merits.

Conversion of traces into roads in Nedumangad taluk.

47. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to lay on the table a statement showing;

(*a*) the number and name of traces in Nedumangad taluk that were converted into cartable roads since six years;

(*b*) the amount, if any, spent for converting the traces into roads;

(*c*) the distance converted;

(*d*) whether any allotment is made for the conversion of traces into roads in the P. W. D. Budget for 1109, in Nedumangad taluk;

(*e*) if the answer to part (*d*) is in the negative, why no allotment is sanctioned for the purpose; and

(*f*) if the answer to part (*d*) is in the affirmative, the amount of allotment so made?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) One, *viz.*, Vamanapuram to Chittar.

(*b*) Rs. 31,305.

(*c*) 7 miles.

(*d*) Yes.

(*e*) This does not arise in view of the answer to part (*d*).

(*f*) Rs. 1,000 for improving the Karipoor trace.

MR. K. R. ELENKATH (*Kalkulam I*): A point of order, Sir. A statement is asked for in the question and it is not placed on the table.

DEPUTY PRESIDENT: That defect has been condoned.

MR. S. J. NAIR (*Nedumangad*): May I know why no statement has been furnished as required by the question?

DEPUTY PRESIDENT: A question is intended to elicit information. That has been given.

MR. S. J. NAIR (*Nedumangad*): With regard to the statement required by me.——

DEPUTY PRESIDENT: That is not substantial in this instance.

MR. S. J. NAIR (*Nedumangad*): May I know the amounts that have been allotted to convert the traces in the Nedumangad taluk?

MR. L. H. JACOB (*Ag. Chief Engineer*): Rs. 1,000.

MR. S. J. NAIR (*Nedumangad*): May I know whether Rs. 3,000 was allotted two years ago for the same purpose?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know why Rs. 1,000 alone is provided for the improvement of traces in the whole of Nedumangad taluk?

MR. L. H. JACOB (*Ag. Chief Engineer*): Want of funds.

MR. S. J. NAIR (*Nedumangad*): May I know, what is the maximum amount allotted in any other taluk of the State for the purpose mentioned by me?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know whether any additional allottment will be made in the current year's budget?

MR. L. H. JACOB (*Ag. Chief Engineer*): Let the amount provided in the budget be spent first.

MR. S. J. NAIR (*Nedumangad*): I wish to know whether any additional allottment is proposed to be made.

MR. L. H. JACOB (*Ag. Chief Engineer*): Not contemplated at present.

MR. S. J. NAIR (*Nedumangad*): Does the member know that Nedumangad taluk is most backward in point of communication?

DEPUTY PRESIDENT: If you drop the word "most", the question will be allowed.

MR. S. J. NAIR (*Nedumangad*): Is the member aware that Nedumangad taluk is backward in point of communication?

MR. L. H. JACOB (*Ag. Chief Engineer*): It is a matter of opinion

Introduction of Arabic Chair in Colleges.

48.* **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state:

(*a*) whether they have received representations through the Sri Mulam Popular Assembly for the introduction of Arabic Chair in the College; and

(*b*) if the answer to the above question is in the affirmative, whether they intend taking measures for introducing the same in Government Colleges?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Yes.

(*b*) The matter is under consideration in connection with the recommendations of the Educational Reforms Committee.

MR. K. SANKARAN (*Karikkapalli I*): May I know whether there are a sufficient number of pupils studying Arabic in College classes as to warrant a separate Chair being established in the College?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. K. SANKARAN (*Kartikapalli I*): May I know whether it is the policy of Government to institute Chairs to suit the convenience of particular communities?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I think it is more in the interest of the language than in the interests of the communities that Chairs for the study of languages are instituted.

MR. K. SANKARAN (*Kartikapalli I*): May I know whether there is any Chair for the study of Arabic in any other colleges in the Madras Presidency?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*); I claim notice.

DEPUTY PRESIDENT: In regard to this question, allow me to make one observation. The Government member is bound, in strictness, to answer only such questions relating to facts and circumstances as they are in Travancore. It may be good that the Government member should make researches into what is done in other places, but that is a matter of option. The information with regard to what obtains in the outside world may be gained by the member himself.

MR. K. SANKARAN (*Kartikapalli I*): With your permission, Sir, I have to offer a word of explanation. I welcome any further information from the Government member if he has. It is only in that spirit I put my question.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) അറബിക്ക് ചെയർ വേണമെന്നുള്ളതിനു് എന്തെങ്കിലും അപേക്ഷകൾ കിട്ടിയിട്ടുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അതിപ്പോൾ പറയുവാൻ നിവൃത്തിയില്ല. ഡയറക്ടർക്കോ ഗവണ്മെന്റിനോ അപേക്ഷകൾ കിട്ടിയിട്ടുണ്ടായിരിക്കാം. I claim notice.

Allotment for Minor Irrigation in Nedumangad taluk.

49. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether any allotment is made in this year's P. W. D. Budget for carrying out the urgent works of minor irrigation in Nedumangad taluk and

(*b*) if the answer to part (*a*) is in the negative, the reason for the same?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) There is an allotment of Rs. 7,000 for the restoration of Protective Irrigation works in the Trivandrum East Sub-Division, under item No. 199, Part II, of the current year's Budget, and the funds required for works relating to the Nedumangad taluk are expected to be found from that allotment.

(*b*) This does not arise in view of the answer to part (*a*).

MR. S. J. NAIR (*Nedumangad*) : May I know whether Government are aware of the hopeless condition of tanks improved by the Minor Irrigation Department ?

DEPUTY PRESIDENT : I disallow the question.

MR. S. J. NAIR (*Nedumangad*) : May I know whether the Government are aware that the improvement of tanks by the Minor Irrigation Department is useless ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I claim notice.

MR. S. J. NAIR (*Nedumangad*) : May I know whether there was any complaint to Government about the improvement of works for minor irrigation ?

MR L. H. JACOB (*Ag. Chief Engineer*) : There was a complaint and the matter has been referred to the Executive Engineer.

MR. S. J. NAIR (*Nedumangad*) ; May I know whether the Chief Engineer inspected the tank concerned upon that complaint ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : I claim notice.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know whether a list has been prepared of the works that are to be attended to from this year in the matter of minor irrigation. I heard the Chief Engineer to say that, out of the funds allotted for the Trivandrum East Sub-Division, certain amounts were spent.

DEPUTY PRESIDENT : What the official member said is not to be forgotten so soon.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I just want to know whether what I thought was what he said. I little suggested that he does not remember what he said. I wish to know whether the Chief Engineer has prepared a list of the works that are to be taken up for improvement from this year in the Trivandrum East Sub-Division ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : No list has been prepared; but an amount to the extent of Rs. 7,000 has been allotted, out of which a portion may be diverted for improvements in that taluk.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know, is it not the practice, that as soon as the Budget is passed, the amount for each work is ascertained so that a list can be prepared according to funds available, and the works proceeded with ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : That is for the Executive Engineers to do.

MR. A. THANU PILLAI (*Trivandrum-Rural*)): Am I to take it that the Chief Engineer is not aware of that ?

MR. L. H. JACOB (*Ag. Chief Engineer*) : Yes.

List of Minor Irrigation Works in Nedumangad taluk.

50. **MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to furnish a list of the *chiras* and tanks improved in Nedumangad taluk under minor irrigation since six years ?

MR. L. H. JACOB (*Ag. Chief Engineer*): Kulavikonathuchira in Nedumangad *pakuthi* and Parandottukonathukulam in Kulathumel *pakuthi*.

MR. S. J. NAIR (*Nedumangad*): May I know why the list of *chiras* and tanks in the Nedumangad taluk has not been placed on the table?

DEPUTY PRESIDENT: I have been often pointing out that statements are not necessary.

MR. S. J. NAIR (*Nedumangad*): May I know whether the *chiras* mentioned are useful for irrigation purposes now?

DEPUTY PRESIDENT: That does not arise when we take into account the main question and the answer thereto.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Chief Engineer has inspected the Kulavikonathuchira?

MR. L. H. JACOB (*Ag. Chief Engineer*): That is for the Executive Engineer to do.

MR. S. J. NAIR (*Nedumangad*): May I know whether he has inspected it?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether any additional *chiras* and tanks are to be improved this year in the Nedumangad taluk?

MR. L. H. JACOB (*Ag. Chief Engineer*): According to necessity, work will have to be done.

Vishavaidyasala at Pirappencode.

51. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether they are aware of the existence of Gopala Vilasam *Vishaviadyasala* at Pirappancode;

(*b*) whether it has not been in existence for the last so many years;

(*c*) why no grant is sanctioned for the *Vishavaidyan* of the above *Vaidyasala*; and

(*d*) whether there was repeated and continuous request for the sanctioning of gr nt to the *Vishavaidyan* there?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) If the member means the *Vishavaidyasala* at Vilavoor near Pirappancode, the answer is in the affirmative.

(*b*) The *Vaidyasala* referred to in (*a*) was in existence for the past 5 years *i. e.*, from 1104 M. E.

(*c*) The question of awarding a grant-in-aid can be considered only when funds are available for the purpose.

(*d*) There were some petitions from the *Vishavaidyan*.

MR. S. J. NAIR (*Nedumangad*): My question is about the existence of a *Vaidyasala* at Pirappancode and not *near* Pirappancode.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government have information only about the *Vaidyasala near* Pirappencode.

MR. S. J. NAIR (*Nedumangad*): Then may I know whether the *Vaidyasala* referred to in the answer is named Gopala Vilasom?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): My question was——

DEPUTY PRESIDENT: You need not further explain the question that has been answered.

MR. S. J. NAIR (*Nedumangad*): The information I want has not been supplied.

DEPUTY PRESIDENT: You cannot complain that the answer does not suit your taste. If you want, you may put questions to elicit further information.

MR. S. J. NAIR (*Nedumangad*): May I know how many *Vishavaidyasalas* there are at Pirappencode?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Only one near Pirappancode.

MR. S. J. NAIR (*Nedumangad*): May I know whether there is grant-in-aid for any *Vishavaidyasala* in the Nedumangad taluk?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

Patients treated in the Dispensaries in Nedumangad taluk.

52. *MR. A. EASWARA PILLAI (*Kottarakara*): Will the Government be pleased to give a statement showing the number of patients treated last year in the dispensaries at Nedumangad, Ponmudi, Palode and Vamanapuram?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*):

Patients treated in 1108.

		In-patients.	*Out-patients.*
Nedumangad	...	455	23,494
Palode	...	98	4,827
Vamanapuram	...	3	2,782
Ponmudi	...	...	12,920

Members of the Krishnan Vaga Community in the Secretariat.

53. *MR. A. EASWARA PILLAI (*Kalkulam II*): Will the Government be pleased to lay on the table a statement showing the number of applicants from the Krishnan Vaga community for appointments in the Secretariat in the last five years and the number of those appointed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The time and labour involved in collecting these statistics is out of all proportion to its possible utility. No member from the Krishnan Vaga community has been appointed in the Secretariat.

MR. A. EASWARA PILLAI (*Kalkulam II*): May I know whether there are any applications for appointment from the Krishnanvaga community?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There might have been.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): In the matter of appointments, under what category is the Krishnavaga community classed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): In the class "Other Hindus".

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether it is classified as unrepresented community?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether this community is considered as backward in point of education in the learned Census Commissioner's Report?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I do not remember it now.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Does the member think that this community deserves any special recognition?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): For that matter, all communities deserve recognition in the matter of appointments. Government give due consideration to the claims of all communities.

MR. K. R. ELENKATH (*Kalkulam I*): Does the member think that this community is well represented in the Public Service?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is a new question, Sir.

MR. K. R. ELENKATH (*Kalkulam I*): Have Government information as to how many members of this community have been appointed in the various departments of the State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. E. K. KUNJURAMAN (*Nominated*): "Other Hindus" എന്നുള്ളതു സവർണ്ണരോ അവർണ്ണരോ എന്നു പറയാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): രണ്ടുകൂട്ടരും ഉണ്ടെന്നാണ് തോന്നുന്നതു്. ഹിന്ദുക്കളിൽ ബ്രാഹ്മണർ, നായന്മാർ, ഈഴവർ, നാടാർ മുതലായ ചില സമുദായങ്ങളെ പ്രത്യേകമായി തരം തിരിച്ചിട്ടുണ്ടു്. ഇങ്ങനെ തരംതിരിച്ചിട്ടുള്ളതിൽ ഉൾപ്പെടാതെവരുന്ന ഹിന്ദുക്കളെയാണ് "Other Hindus" എന്നു പറയുന്നതു്.

Proposed District Court at Mavelikara.

54. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) the progress that has been made in their attempt to find a suitable building for the proposed District Court at Mavelikara; and

(*b*) the steps that have been taken by them for that purpose after the last Budget session of the Sri Mulam Assembly and the Sri Chitra State Council?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) and (*b*) Government have ordered that the question of opening a District Court at Mavelikara has to wait for financial reasons and pending the result of other efforts, not involving additional expenditure, to reduce the Law's Delays. Hence these questions do not arise.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know when this decision was arrived at?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Very recently.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I wish to know the exact date?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): It is not with me now.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): After the Budget sessions of the Assembly and Council are over, what were the new grounds on which Government came to this decision?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Certain attempts are now being made to reduce Law's Delays. They are—

"(i) The enhancement of the Ordinary and Small cause jurisdiction of the Munsiffs' Courts and the Appellate jurisdiction of the District Courts and provision for a preliminary scrutiny of second appeals filed in the High Court to facilitate the expeditious disposal of civil suits. For this purpose, a draft Bill—The Travancore Civil Courts' Powers Amending Bill—has been published in the issue of the Gazette dated the 24th October 1933.

(ii) The redistribution of the territorial jurisdiction of courts in regard to which revised proposals have been called for from the High Court and they are awaited.

(iii) The enhancement of the jurisdiction of Village Panchayat Courts at Nagercoil, Padmanabhapuram, Kuzhittura, Attingal, Shencotta, Kayankulam, Mavelikara, Haripad, Tiruvalla, Changanachery, Vaikam and Alwaye and the establishment of new Village Panchayat Courts at Eraniel, Chirayinkil and Shertala"

These are the measures that Government propose to take and they want to see what the results are going to be.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is this the alternative suggested for the establishment of a District Court at Mavelikara?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government think that by the adoption of the above proposals there may come about an appreciable reduction in law's delays and that there may not then be any urgent necessity for the establishment of a District Court at Mavelikara.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether recommendations in those directions were also made by the Law's Delays Commissioner when he thought of establishing a District Court at Mavelikara.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): He has suggested these and various other measures. Government want to see whether, even after giving effect to these recommendations, the necessity for a court at Mavelikara will be felt.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Did the Government consider what the effect of these recommendations will be when they thought of establishing a District Court at Mavelikara; and, if, so, what is the event that has happened subsequent to the Budget session which prompted Government to adopt other measures?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): They have reconsidered the question and as a result some measures are proposed to be adopted to reduce law's delays. They want to wait and see the results of those measures.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I ask this simple question? What were the reasons which prompted Government not to consider the question of establishment of a District Court at Mavelikara?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I have already answered that question.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Were not several representations made for the early establishment of a District Court?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There were representations by various parties interested in the matter. Government reconsidered the question and came to the decision that certain measures should be tried to reduce law's delays. They propose to watch the results of these measures.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Am I to take it from the member that, by giving effect to these new proposals, grievances detailed in the representation could be redressed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government think so. But they have not decided not to open a District Court at Mavelikara. They have only postponed the establishment of the court to watch the results of the recommendations now being given effect to.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): How long will it take for Government to try this experiment?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I cannot say. I claim notice.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Am I to understand that the recommendations proposed to be given effect to by Government do not involve any extra cost?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is not the point.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I will repeat my question. Am I to understand that the recommendations, so far attempted to be given effect to, do not involve additional expenditure of public money?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The financial aspect of the question has not been worked out.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Did not Government think that finance was one of vital considerations when they wanted to try this alternative method in preference to establishing a District Court at Mavelikara?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): It has not been possible to work out the exact additional cost.

MR. K. SANKARAN (*Kartikapalli I*): May I know whether it was with a view to minimise the law's delays that the establishment of a court was thought of at Mavelikara?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. K. SANKARAN (*Kartikapalli I*): Was it the only object?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. K. SANKARAN (*Kartikapalli I*): Is it not a fact that, in pursuance of the recommendations of the Law's Delays Commissioner, the High Court also recommended that a District Court might be established at Mavelikara as early as possible?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. K. SANKARAN (*Kartikapalli I*): When the Government thought of postponing that idea, did not Government ask the High Court whether it will be advisable to postpone the establishment of a court at Mavelikara?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The measures now proposed to be tried were suggested by the High Court.

MR. K. SANKARAN (*Kartikapalli I*): May I know whether the Government asked the High Court whether the idea of postponing the establishment of a court at Mavelikara would in any way help to minimise law's delays in the State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. K. SANKARAN (*Kartikapalli I*): May I know whether Government enquired of the High Court whether the new proposals would in any way help to minimise law's delays in preference to the establishment of a District Court at Mavelikara?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): തൃപ്തികരമായ കാരണങ്ങൾകൊണ്ടു ഗവൺമെൻറിനെ ബോദ്ധ്യപ്പെടുത്തുകയാണെങ്കിൽ, ഈ ഡിസ്ട്രിക്ട് കോടതി മാററുന്നതിനുള്ള സ്ഥാനം ചെങ്ങന്നൂരാക്കുന്നതിനെപ്പററി ആലോചിക്കുമോ?

DEPUTY PRESIDENT: That is not allowed.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether Government will refrain from opening more courts unless they are found to be absolutely necessary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): In fact that is what Government are doing.

Primary School for Anjilipra.

55. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether the Assistant Inspector of District No. XI has recorded on 15-2-1105 in his inspection notes of the Anjilipra V. P. School that a complete Primary School is necessary in the *Kara*;

(*b*) whether the Manager's application for permission and approval of a plan to construct a building for opening the fourth class was granted by the Inspector of Vernacular Schools in Kanni 1106;

(*c*) whether, after completing the building according to the approved plan, the Manager applied for permission to open the fourth class in 1106, 1107 and 1108; and

(*d*) if the answer to part (*c*) is in the affirmative, the orders passed on each of these applications?

MR. R. M. STATHAM (*Director of Public Instuction*): (*a*) to (*c*). The answers are in the affirmative.

(*d*) The Manager's application for permission to open Class IV in 1106 was refused, owing to the objection raised by the Managers of he schools close by. In reply to his application of 1107, he was told

[Mr. R. M. Statham.]

to wait till the next school year. When he applied in 1108, he w informed that the question of opening the class might be deferred for next year.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know why his application for opening a class was deferred ?

MR. R. M. STATHAM (*Director of Public Instruction*): Apparently the Inspector was not satisfied that the class was needed.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then may I know why he was asked in 1107 to wait till 1108 ?

MR. R. M. STATHAM (*Director of Public Instruction*): The answer I gave to the previous question applies to this also.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Could not the Manager be told that a new class would not be allowed ?

MR. R. M. STATHAM (*Director of Public Instruction*): The question of recognition rests with the Inspector of Vernacular Schools. There was some cause for dissatisfaction so far as recognition to that school was concerned.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the Manager has sustained any loss because he had to construct a building for the additional class on the understanding that a fourth class will be allowed ?

MR. R. M. STATHAM (*Director of Public Instruction*): He was given the hope that if the Inspector was satisfied recognition of the class might be granted.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the class was eventually recognised ?

MR. R. M. STATHAM (*Director of Public Instruction*): Not yet.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether all these circumstances were considered by the department in passing the order in 1108 ?

MR. R. M. STATHAM (*Director of Public Instuction*): The order was passed by the Inspector of Vernacular Schools who has complete power for granting recognition, withdrawals, etc.

Standardization of forms.

56.* **MR. N. ABDUR RAHIAN SAHIB** (*Nominated*): Will the Government be pleased to state :

(*a*) when the Special Officer for the standardization of forms was appointed ;

(*b*) the period within which he was expected to finish his work as per the original arrangement ;

(*c*) whether there is any proposal to absorb him in the Stationery Department, either temporarily or permanently ;

(*d*) if the answer to part (*c*) is in the affirmative, whether the Government will be justified in granting him deputation allowance; and

(*e*) whether the Government expect any savings on account of the appointment of the above Special Officer ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) He was appointed on the 15th Kanni 1108.

(*b*) No such period was definitely fixed. The Special Officer was appointed for one year as is usually done in such cases. As the forms of about 30 departments remained to be standardized at the end of last year, the Special Officer's work has been ordered to be continued for the current year.

(*c*) The answer is in the negative.

(*d*) In view of the answer to part (*c*), this does not arise.

(*e*) Yes, large annual recurring savings under Stationery and Printing are expected by the work of the Special Officer, in addition to the savings already effected by him during the last year.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): In answer to part (*e*)' may I know the approximate annual saving that Government hope to achieve by the appointment of the Special Officer?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There is a substantial saving.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know at least the approximate annual saving?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No estimate can be formed at present. But, I can say that during the current year (1109), the provision for the supply of stationery to the various departments is only Rs. 1,51,000 as against, Rs. 2,18,750 in 1108. So, there is a large reduction in the provision for this purpose and the Government expect that there will be a further saving in the course of another year.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know for what period he is appointed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): He was appointed last year and the period has been extended till the end of this year.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether this difference of Rs. 65,000 between the figures of 1108 and 1109 is due to the work of the Special Officer alone?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Partly due to that.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Is the member in a position to give a rough idea as to the saving effected in consequence of the Special Officer's work during 1108?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No, I claim notice.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know what connection there is between the work of the Special Officer and the amount of Rs. 65,000 which is the difference between the Budget allotments of 1108 and 1109?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : A portion of the saving is due to the work of the Special Officer.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : That is why I wish to know the approximate idea of saving effected, so that there may be established some connection between the officer and the question at issue.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Seeretary to Government*) : I claim notice of that question.

MR. K. R. ELENKATH (*Kalkulam I*) : Is the Standardisation Special Officer directed to consult the Superintendent, Government Press, in his work ?

RAO SAHIB DR. N KUNJAN PILLAI (*Ag. Chief Secretray to Government*) : Whenever necessary, he consults the Superintendent, Government Press.

MR. K. R. ELANKATH (*Kalkulam I*) : May I know whether he has been given directions to do so ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I claim notice.

Christian Clerks in the Secretariat.

57. ***MR. ANTONY GEORGE** (*Nominated*) : Will the Government be pleased to state ;

(*a*) the number of higher grade Christian clerks in the Secretariat ;

(*b*) of these whether there are any Latin Christians ;

(*c*) if the answer to part (*b*) is in the negative, the reasons for the same ;

(*d*) how many Latin Christian graduates have applied for the post of higher grade clerks in the Secretariat for the last three years and how many have been entertained in service ; and

(*e*) how many of the lower grade clerks in the Secretariat are Christians and of them how many are Latins ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : (*a*) 21

(*b*) There is one Latin Christian who is on other duty as Ag. Tahsildar.

(*c*) This does not arise in view of the answer to part (*b*).

(*d*) There were 17 applicants from Latin Christian graduates. No one has been entertained during the last 3 years.

(*e* There are 8 Christians in the Lower Grade. None of them is of Latin-rite.

MR. ANTONY GEORGE (*Nominated*) : In answer to part (*d*), may I know, amongst 17 applicants, why not one Latin Christian has been appointed ?

RAO. SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : In the matter of appointments, the claims of all communities have to be considered and it so happened that the Latin Christian's turn has not come.

MR. ANTONY GEORGE (*Nominated*) : May I know, is it by turns that the clerks are appointed ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I think there is some sort of rotation followed, but it is not always possible to follow it strictly.

MR. ANTONY GEORGE (*Nominated*) : Since there are no Latin Christian clerks in the Secretariat, may I know why nobody was appointed from among the 17 applicants ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : There is no hard and fast rule laid down in the matter of recruitment and it is not possible to give appointments to all communities alike.

MR. ANTONY GEORGE (*Nomiatned*) : Are there any special reasons for not appointing any Latin Christian during the last three years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I claim notice.

MR. T. K. ALEXANDER (*Kunnatnad I*) : May I know the number of Mar Thoma Christians appointed ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I rise to a point of order. How does that question arise when the main question refers to Latin Christians ?

DEPUTY PRESIDENT : Relevancy is a question of degree.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : Sir, in that case, any member might ask about the appointment of all the other communities, so much so there will be no end to questions.

DEPUTY PRESIDENT : The Chair is not bound to give advice in these matters. There was a point raised by Mr. P. K. Narayana Pillai and that has been answered. So there is nothing before the House which would entitle any member to rise to a point of order. When the difficulty actually comes, the point of order will be answered.

MR R. SAMBASIVA AIYAR (*Kunnatnad II*) ; A word of explanation, Sir, I was only speaking on the same point raised by Mr. P, K. Narayana Pillai. As my question has been ruled out by the Chair, I am bound to obey that.

ADJOURNMENT MOTION.

MR. K. R. ELENKATH (*Kalkulam I*) : Sir, I beg to move an adjournment of the House,

DEPUTY PRESIDENT : I have received from Mr. K. R. Elenkath notice of a motion for the adjournment of the business of the House on a matter of urgent public importance. The object of the motion is "to discuss the grave situation as demonsrated by the events that took place on the evening of Friday last at Colachel, caused by the Head of the Travancore Administration siding with an European missionary and performing the opening ceremony of a leper asylum near the municipal town of Colachel in spite of repeated protests from the public and when the matter is *sub-judice.*"

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to submit that there are many reasons why this motion should not be allowed. Without going into the merits of that, I may say, as the matter is *sub judice*, the motion cannot be allowed.

DEPUTY PRESIDENT : Mr. Kayalam Paramesvaran Pillai on behalf of Government says that the matter is *sub judice.*

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : May I know what is the matter that is *sub judice*. Is it the Dewan's opening of the Leper Asylum or something else?

DEPUTY PRESIDENT : The rule is that when the President is on his legs, no member might put a question. I do not know what Mr. Paramesvarn Pillai wanted to ask. If he had asked that in time, I would have allowed it. Now, I am only bound to consider what Mr. Kayalam Paramesvaran Pillai on behalf of Government has stated. He says that the matter is *sub judice*.. If it is *sub judice* and in this case it is, no adjournment motion can be allowed.

Secondly, the language in which Mr. Elenkath has clothed his ideas is faulty. In the first place, the Head of the Travancore Administration is a vague expression, and further, siding with a European missionary and performing the opening ceremony of the Asylum and all that, It would be better if such strong language is not used. As the matter is *sub judice* and for the other reasons stated, I disallow the motion.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether there are two Heads of Administration?

DEPUTY PRESIDENT : I disallow that.

LEGISLATIVE BUSINESS.

THE TRAVANCORE LIFE ASSURANCE COMPANIES BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, the first item in the list is the appointment of a Select Committee to consider and report on the Travancore Life Assurance Companies Bill. The principle of this Bill received the approval of the old Council, and the Bill was referred to a Select Committee, which

however was not able to complete its labours. I now purpose that the Bill may be referred to another Select Committee, namely, a committee consisting of :

Messrs,

A. S. Damodaran Asan
K. C. Karunakaran
Puthupalli S. Krishna Pillai
T. C. Joseph
N. Abdur Rahiman Sahib
S. J. Nair
M. N. Nair
K. George
Kayalam Paramesvaran Pillai, and
T. K. Velu Pillai (*Deputy President*)

Of these, the first three were members of the old Committee too. The Committee will report within four months.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know who is the President of the Committee?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That will be nominated by the Dewan, the President of the Assembly.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): When the Deputy President is presiding, he can also exercise all the powers of the Dewan-President and so may I know who is the President of the Committee?

DEPUTY PRESIDENT: But the rule says that the Dewan-President shall nominate a person.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The rule has to be interpreted properly. It clearly says that the President shall nominate, So, the Chair can decide as to who shall be the President of the Select Committee.

DEPUTY PRESIDENT: After all, the matter is simple and it does not in any way affect the rights and privileges of the House.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): We want a ruling on the point. This is a very vital point. It is a matter affecting our rights and privileges, Sir. When the Deputy President presides, he can exercise all the powers of the President.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Provided it can be said that it is a power of the President *when presiding*.

DEPUTY PRESIDENT: I shall give my ruling later on.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Will it be in the course of the day?

DEPUTY PRESIDENT: Yes.

THE TRAVANCORE EDAVAGAI BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Travancore Edavagai Bill. The Bill has been published in the Gazette with a statement of Objects and Reasons and I beg to move that the Bill be read in Assembly.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall now explain briefly the principles involved in the Bill An Edavagai means a compact area recognised as such in the Government accounts, the whole or any portion of which area is exempt from payment of revenue to Government. Or, in other words, an Edavagai is a compact area outside the State *ayacut* and Government have no concern over it in the matter of collecting tax. The Edavagai Chief will collect his dues which may be said to be the tax from the tenants in that area. The peculiarity of an Edavagai is this. The Government do not at all interfere, whatever be the extent of the holdings and the nature of the tenure held by the tenants. In the case of the ordinary *Jenmam* and *Pandarapattom* lands, the Government have to recover the tax due to Government. For this purpose, a survey and settlement were effected by Government. But in the case of Edavagais, neither the Chief nor the tenants owe tax to Government. Hence, it is not the concern of Government to know anything about the tax collected by the Chiefs or anything connected with that and therefore there is no settlement in Edavagais. And the tenants have not too any permanency of the occupancy right and the rents they have to pay may be excessive. These cause serious hardship to the tenants, because they have not got the rights of ordinary tenants under the Sirkar or even of the ordinary Jenmies and there are no published record of the rights of the tenants. The object of this Bill is to give permanent right of occupancy to the Edavagai tenants and to enforce fairness of rent. It is also proposed to have a single measure applicable to all Edavagais and to repeal the existing Rent Recovery Regulation (IV of 1068) and incorporate in this Bill provisions relating to Kilimanur and Edapalli also.

For the carrying out of the purpose of the Bill, there should be a survey of the Edavagais. Then there must be a settlement of the rents. There is at present no legislation for such settlement. The subjects of the State residing in Edavagais have moreover petitioned for a long time that they should be given electoral rights. The rightness of their claim has been approved by Government. But till the Edavagais are settled, it is impossible for Government officers to know whether a tenant is entitled to be registered as a voter or not.

When the survey is finished, the Bill empowers Government to take up the settlement at the cost of Chiefs of such Edavagais. The settlement and procedure will, subject to necessary modifications, be the same as those that are adopted in the case of the settlement of Government lands. As soon as the settlement is made, the officer should

furnish the details of the settlement to the parties concerned and a right of appeal will also be provided. The rent to be fixed will in no way exceed 25 per cent. of the gross produce.

The Bill provides also for the removal of unauthorised occupations of land in accordance with the procedure permissible under the Land Conservancy Regulation.

This Bill is framed particularly with a view to effect a settlement of the relations between the Chief and his tenants. I trust it will receive the acceptance of this House.

There are two Edavagais mentioned in the Schedule, the Edavagais of Poonjar and Vanjipuzha. But two more are mentioned in the body of the Bill, namely the Edavagais of Kilimanur and Edapalli. In regard to the Edavagais of Kilimanur and Edapalli, there is already a Regulation, Regulation IV of 1068, which governs them. That Regulation is proposed to be repealed by this Bill so as to bring a uniformity in the law that is going to govern all the Edavagais. When this Bill becomes law, I believe, there would be a settlement of the rights of the tenant and the relationship between the Chiefs and their tenants.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know whether the present tenants are proposed to be given permanent rights of occupancy apart from any further immediate obligation on their part.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The present tenants may be of many classes. For example, the *Venpattom* tenant is a tenant-at-will. He will be given permanency of right. Whether such a tenant has to give anything in return to the Chief in consideration of the permanency of rights to be conferred upon him is a matter perhaps for the consideration and it may be considered by the Select Committee.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know the proportion of tenants who now enjoy permanent rights of occupancy and those who do not enjoy that right.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government have no definite information, because of the absence of a settlement. My idea is that the majority are *Venpattom* tenants who may be evicted at any time.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know the nature of the settlement of rights with regard to the Edavagais where a settlement has not been carried out.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Section provides, *i. e.*, Section 8 in the Bill says, "The holders of lands within the Edavagais in which a settlement has been carried out under the foregoing provisions shall have the same rights of permanent occupancy in respect of their holdings alienable and heritable as the holders of land under Government".

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, that Section gives only the rights of permanent occupancy of an Edavagai whose holding has been settled. What is proposed is with regard to the others. That, I find, has not been placed before the House. I put the question so that I may understand the situation.

DEPUTY PRESIDENT: Those observations may be reserved for a further stage.

MR. A. THANU PILLAI (*Trivandrum-Rural*): So that we may discuss this matter, I feel some more information is necessary.

DEPUTY PRESIDENT: Please put it in the form of a question, not by making a speech.

MR. A. THANU PILLAI (*Trivandrum-Rural*): By a mere question on a matter like this, I may not be able to get the information. A simple question may not be enough; and at the same time I do not want to make a statement.

DEPUTY PRESIDENT: The member will be at liberty to draw any inferences favourable or adverse on account of these omissions. If, however, important information is required, that may be elicited by putting a question, a simple short question.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I shall put only questions. As for personal explanation, I may make a statement to the House that it is not with a view to—

DEPUTY PRESIDENT: All these points do not arise. Please remember there is nothing else necessary. The information may be elicited.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know the approximate number of tenants in the Poonjar and Vanjipuzha Edavagais, if that information is available, and also the approximate number of *Venpattom* tenants among them.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government have no definite information on the point They have some rough idea. They believe there are about 5,000 tenants in each of these Edavagais, the bulk of whom have no permanent rights of occupancy.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know whether, if this Bill is passed into law, it can be given effect to only on further contracts between the tenants and Jenmies; that is to say further transactions could be negotiated for giving effect to the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not the position in the Bill.

MR. A. THANU PILLAI (*Trivandrum-Rural*): That is why I wished to get further information regarding this. The Bill is to enable Government to settle the rent. I wish to know whether the rents can be settled by this, without any further transaction being completed by way of payment to the Jenmi or by way of relinquishment of some other rights on the part of the tenants. Without all that, can a settlement be effected?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): A settlement can be effected and the Bill does not say anything against that. What the Bill contemplates is that a fair rental be fixed which will at all times be less than 25 per cent. of the gross yield.

MR A. THANU PILLAI (*Trivandrum—Rural*): So that in the case of a settlement of rent on a land that is now occupied by a *Venpattom* tenant, the settlement of rent alone will arise or the payment to the Jenmi also will arise?

DEPUTY PRESIDENT: The effect of the Bill when passed into law is a subject on which no member is entitled to get an answer from the Government.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know how persons in occupation of unsettled lands in the Kilimanur and Edapalli Edavagais are now evicted?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is no specific provision regarding them. I believe there are not very many persons in unauthorised possession of land. In the case of unassigned lands reserved for communal purposes, the Land Conservancy Regulation applies, I think.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*); May I know from the Law Member whether, in fixing the rental at one-fourth of the gross produce, the Government made any examination to see what proportion the present rentals bear to the gross produce of the land?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No definite or scientific examination has been made. Government have no authority to enter into the land or investigate about it. But generally it will be 25 per cent. or a little less or more.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Is there any idea of enhancing the rent by this Regulation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That has to depend on the principles that may be laid down by the rules, subject, of course, to the Statute passed by the House. In regard to the *Venpattom* tenant, there is no permanent right of occupancy now. In regard to others, they may have a permanent right. The *Venpattom* tenants are only tenants-at-will and they may be evicted at any moment by the Chief. Once they are given permanency of occupation, the Chief must be allowed to get a fair rental, say, generally speaking, in the way in which Government are assessing their rent.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, I wish to know from the Law Member whether there were any representations from the tenants of Edavagais praying for any such regulation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. They have also complained that they are not given the

[Mr. Kayalam Paramesvaran Pillai.]

rights enjoyed by people holding lands under the Sirkar. They have represented that they should be given electoral rights for the Legislature.

MR. N. E. VARUGHESE (*Tiruvalla I*) : ഗവണ്മെൻറും ഇടവകസ്ഥലങ്ങളുമായിട്ടുള്ള ബന്ധം എന്താണെന്നു പറയാമോ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That is a matter of history. I have been looking into the literature to find something about that. But so far as my researches go, I have not been able to get at anything very definite. On the other hand, what is stated is that it is believed to have been a grant by the Sovereigns, of Travancore.

DEPUTY PRESIDENT : These questions do not arise and I do not think it will be proper to devote the time of the House to answering these questions. They are all inferences, the effect of laws passed and so forth. I cannot allow those questions.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : In regard to the Edapalli and Kilimanur Edavagais, there has been a settlement already and therefore it was thought that it would be enough to include them in the body of the Bill. If it is found on examination that it is necessary to include them also in the Schedule, it may be done.

MR. K. P. KRISHNA MENON (*Parur*) : Is not a special Notification necessary for that purpose ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Notification contemplated is for the purpose of effecting a settlement. In regard to Kilimanur, the settlement has been effected ?

MR. K. SANKARAN (*Kartikapalli I*) : May I know whether the tenants in these two Edavagais pay the rent in kind or in money ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Both in kind and in money.

MR. K. SANKARAN (*Kartikapalli I*) : May I know whether the Law Member has any objection to make a provision in the present Bill that the payment of rent should be fixed in money and not in kind ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Law Member, at present, has got objection ; but he is in the hands of the House.

MR. K. SANKARAN (*Kartikapalli I*) : May I know whether that question may be left for the consideration of the Select Committee ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It may be.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : Sir, while supporting the general principle of the Bill, I would like to refer particularly to the principles embodied in Sections 10 and 17. Section 10 is based on

a wrong principle. It denies the tenant the right to the value of improvements he may have made on the property. That Section says—

"All lands not dealt with at the settlement shall after, the day mentioned in sub-section (1) of Section 7, be deemed to be Government land within the meaning thereof in the Land Conservancy Regulation........."

According to the Land Conservancy Regulation, such land will be *poramboke* land, and the officers of the Land Revenue Department have the right to evict tenants from *poramboke* lands without giving them the value of improvements that they may have effected on the land.

Section 17 enables the Government to make the Poonjar Chief, or even any one of his subordinates, a Dewan Peishkar. Even the qualifications necessary for the person who is to be made Peishkar under this Bill have not been specified.

MR. K. R. ELENKATH (*Kalkulam I*): May I ask whether the Chief or his subordinate can, under this Bill, get all the powers of the Dewan Peishkar, or only the right to collect the dues?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): For the purpose of this Bill, the Poonjar Chief or any of his subordinates can become a Dewan Peishkar.

Sir, the point that I was trying to develop is this. The Poonjar Chief is interested only in collecting as much revenue for himself as possible. Ordinarily, the occupants of the Edavagai lands would have made valuable improvements on the non-settled lands, and the Chief and his predecessors would have acquiesced in that. Under Section 10 of this Bill, it will be possible for the Chief to deprive the tenant of his rights to the value of improvements. There is no such provision in Regulation IV of 1068.

Similarly, I have objection to the principle embodied in Section 17. In this case also, there is no corresponding provision in Regulation IV of 1068. The proper thing for these Chiefs is to apply to the Tahsildar or the Peishkar—as is done in the case of the Edappalli and Kilimanur Edavagais—for coercive steps under the Revenue Recovery Regulation, being taken for the realisation of their dues. Under the new Jenmi and Kudiyan Regulation also, that is the provision for the realisation of Jenmikaram. I do not see why, in this Bill alone, Government have been empowered to give Peishkars' powers to the Chiefs and their agents. And the worst of it is that there is no provision even for a revision to the Land Revenue Commissioner. I submit that these provisions will lead to great injustice. Unless these two Sections, 10 and 17, are suitably amended, I submit, this Bill should not be proceeded with.

There is also one other point which has already been referred to at question time, namely, the principle of assessment. What we find in Regulation IV of 1068 is that, in the Kilimanur and Edappalli Edavagais, the principle of assessment applicable to *Pandarapattam* lands was followed when these were settled. Here, under this Bill, a

[Mr. R. Sambasiva Aiyar.]

different principle is sought to be introduced, namely, that the assessment should not exceed one-fourth of the gross produce. The maximum has been fixed. My submission is that the principle followed in the case of *Pandarapattam* lands should be the principle under this Bill also. Otherwise grave injustice may result.

I may also submit, Sir, in this connection, that, in spite of the provision in Regulation IV of 1068, dues are being realised in money as well as in kind in the Kilimanur and Edapalli Edavagais. This was the subject matter of certain interpellations during the last session of this Assembly, and Government assured us that they would do all that is possible to enable the tenant to pay in money. My submission is that specific provision should be made in this Bill for payment being made in money, the commutation rate being fixed by the Government. This Bill must not be allowed to become law unless these important changes are made.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I wish to add a few words on the principle of this Bill. I agree with my friend who preceded me in thinking that clause 17 has to be considerably modified, if it is to find acceptance on this side of the House. Sir, it will be fresh in the memory of those of us who were members of the last Legislative Council that, when the powers to be given to the Sripadam Officers were being considered, we fought, so to say, a battle royal over this question of private officers, like those of the Sripadam, being invested with powers of the Tahsildar and the Peishkar, to be utilised at the sweet will and fancy of the proprietor of the land. Sir, we are not prepared to yield that principle. It will be very dangerous to the interests of the tenants on whose behalf and to secure whose interests—because it is stated that it is they that are sought to be given permanent occupany right—that this draft Bill has been brought here. If this provision is to be retained, Government should make it absolutely clear that they themselves will have the power to appoint these officers who are to wield the powers of Tahsildars and Peishkars, because these are extraordinary powers, and as such can be allowed to be used only by officers with proper ability, officers subject to the control by Heads of Departments under a well-regulated system of Government. The appointment of such officers by private bodies should certainly not be left to the sweet will and fancy of private individuals. There is nothing to prevent even an illiterate man being appointed and given this extraordinary power under the Revenue Recovery Regulation, powers which have to be exercised with great forbearance. Even Government officers are not always beyond blame in the exercise of these powers. Therefore, this is a matter which the House will have to consider very carefully.

Government are practically administering and doing everything for these Edavagais. Whatever may be the historical connection between the State and these Edavagais, I do think that it is high time for the Government to insist on some suitable contribution, to the

general revenues, from these Edavagais, for the management and administration of these Edavagais. And this is the most opportune moment for making the necessary provisions for such contribution. In fairness, I do not think the proprietors of these Edavagais can stint such contributions to Government; and it is for the Government to settle that contribution before they proceed with the Bill and before they undertake—

DEPUTY PRESIDENT: Is it one of the matters contemplated in the Bill?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Certainly, it comes within the purview of this Bill; and I want a clear provision in the Bill to show that this matter is specifically contemplated in it.

DEPUTY PRESIDENT: Does the scope of the Bill permit this question to be raised?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I think it does.

The main principle underlying the Bill and the paramount consideration of Government seems to be that the tenants must secure permanent occupancy rights. That is very unexceptionable, and I agree with that entirely. All other provisions should be left for amendment by this House.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*) സർ, ഈ സഭയുടെ ആലോചനയിലിരിക്കുന്ന ഇടവക ബില്ലിൻെറ മൂലതത്വത്തോടു ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു. ഇടവക അധികാരികളിൽ പലരും ജന്മിമാരാകകൊണ്ടും അവരുടെ പ്രാതിനിധ്യം ഞാൻ വഹിക്കുന്നതുകൊണ്ടും ഇടവകയെയും അവരുടെ വസ്തുക്കളേയും സാരമായി ബാധിക്കുന്ന ഈ ബില്ലിനെ പററി ചില അഭിപ്രായം ഇവിടെ പ്രകടിപ്പിക്കേണ്ടതു് എൻെറ കർത്തവ്യമാണെന്നു് ഞാൻ വിചാരിക്കുന്നതിൽ തെററുണ്ടാവാൻ ഇടയില്ല. കുടിയാന്മാരുടെ കൈവശമിരിക്കുന്ന ഇടവക വസ്തുക്കളുടെ സ്ഥിരാവകാശം കുടിയാന്മാർക്കു തന്നെ നൽകുന്നതിന് ഈ ബില്ലിൽ അനുവദിച്ചിരിക്കുന്നതു് കുടിയാന്മാർക്കു അനുഗ്രഹപ്രദമാണ്. അതുപോലെ തന്നെ ഇടവകയ്ക്കു കിട്ടേണ്ട ആദായം കാലാകാലത്തു കിട്ടുന്നതിനു വേണ്ട പദ്ധതികൾ ഈ ബില്ലിൽ ചേർത്തിരിക്കുന്നതുകൊണ്ടു ഇതു ഇടവകയ്ക്കും ഗുണപ്രദമാണ്. ബില്ലിലെ ൫-ാം വകുപ്പു ൨-ാം ഉപവകുപ്പിൽ മൊത്തം ആദായത്തിൻെറ നാലിൽ ഒന്നിൽ കൂടുതൽ ഒരിക്കലും കരം ചുമത്താൻ പാടില്ലെന്നു് പറഞ്ഞിട്ടുണ്ടു്. ഇപ്പോൾ മൊത്താദായത്തിൻെറ നാലിലൊന്നിൽ കൂടുതൽ വല്ല വസ്തുക്കളിൽ നിന്നും ഈടാക്കി വരുന്നുണ്ടോ എന്നന്വേഷിച്ചറിയാതെ അതിനെപ്പററി ഒരഭിപ്രായം പറയുവാൻ സാദ്ധ്യമല്ല. കരം പിരിവു റഗുലേഷനനുസരിച്ചുള്ള അധികാരം ഇടവകയ്ക്കു് കൊടുക്കാൻ പാടില്ല എന്നു എ

[Mr. T. S. Jayantan Nambootiri.]

ന്റെ സ്നേഹിതന്മാരിൽ പലരും ഇവിടെ പ്രസ്താവിക്കയുണ്ടായി. പബ്ലിക്ക് ഇൻററസ്റ്റിനു ബാധകമല്ലാത്തനിലയിൽ ഇടവകക്കാരുടെ അവകാശം കിട്ടുന്നതിന് ആവശ്യമായ അധികാരങ്ങൾ അവൎക്കു കൊടുക്കണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. POTTAYIL S. KRISHNA PANICKER (*Shertala II*): ജന്മിമാൎക്കുംപോഷ്ക്കാരുടെ അധികാരം കൊടുക്കുന്നതിൽ വിരോധമുണ്ടോ?

DEPUTY PRESIDENT: ഇതിനു ഉത്തരം പറയേണ്ട ആവശ്യമില്ല.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Sir, I agree with the main principle enunciated in the preamble of the Bill.

DEPUTY PRESIDENT: A little louder, please.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): It is stated in the preamble that the Bill is intended to define the rights of the proprietors of land and their tenants. What I have to submit is that the respective rights of the proprietors and the tenants do not seem to have been completely and clearly laid down in the Bill, so much so the House is not in a position to consider it as a whole. The Bill is silent with regard to various points. To refer to some of them, it does not say anything about the *Venpattom* tenants and their rights. It is seen from Section 15 of the Bill that such only of those properties as can be brought within the purview of the Royal Proclamation of 1042 are exempted from the operation of the Bill. But there are, besides these, properties over which the *kudiyans* have obtained permanent rights based on various contracts and custom. For example, there are in all the Edavagais properties granted by the Chiefs on various favourable tenures, such as the well-known *Adima*, *Thiruvilam*, *Anubhavam*, etc. Perhaps, it may be due to the ignorance of the existence of such tenures that no exception seems to have been made in favour of such properties I have no objection to the Bill being committed to a Select Committee, provided the Law member gives a definite assurance that the members of the committee will have full scope and liberty to work out the main principle of the Bill in all its details and to consider all the rights that exist between the Chiefs and their tenants.

With regard to Section 10, the lands on which settlement has not been effected are treated as Sirkar *Tharisu* lands and Section 4 of the Land Conservancy Regulation of 1094 is made applicable to those lands. If the law does not confer upon the persons in possession of such properties the right to get those properties registered, I submit it will cause great hardship. This Section invests the Chiefs with extraordinary powers, which will enable them to recover lands without paying any consideration to the *Kudiyans* who from time immemorial have expended money and labour in improving them. The Section as it stands is highly detrimental to the interests of the tenants.

There is no provision with regard to waste lands in the present Bill; whereas in Regulation IV of 1068 applicable to Kilimanur and Edapalli, there is a provision. Section 4 thereof runs thus:

"The granting of waste lands shall be regulated in respect of permanency of occupation and the rates of assessment by the law and rules for the time being in force for Government waste lands."

It is available and essential to introduce this provision in the present Bill.

In Section 8 of the Bill, the rights of the tenants are defined. In Regulation IV of 1068, the corresponding section is Section 2 which says:

"The holders of land in the estates of Edapalli and Kilimanur shall have the same rights in respect of their holdings as the holders of land under Our Government."

I think this Section in Regulation IV of 1068 is more happily worded and more comprehensive from the point of view of the tenants' interests.

Then in the Bill, there is no provision in regard to the rate of rent recoverable from the holders of lands; whereas in Regulation IV of 1068, there is a specific provision. Section 3 of Regulation IV of 1068 says;

"The rent recoverable from the holders of land in the said estates shall be a rates assessed by Government from time to time."

I do not know whether the omission of such a provision in this Bill is deliberate or not.

This Section had invested the tenants in the estates of Kilimanur and Edapalli with certain rights, which to my surprise have been withdrawn by the present Bill. On the strength of the right defined in htis Section, the tenants in Kilimanur and Edapalli have been repeatedly and persistently agitating for the abolition of taxation in kind and the substitution of money payments as was done by the Government with regard to *Pandarapattam* lands. Yet taxation in kind exists in Kilimanur and Edapalli. Whatever may be the origin of assessment in kind and however much it may have been preferred to money payments in former times, it is certain that it is now a source of abuse and exaction. So taxation in kind must be abolished and money payment should be substituted in its stead. The commutation rates accepted by the Government in the case of *Pandarapattam* lands must be resorted to in this behalf.

With regard to Section 17 of the Bill, regarding the delegation of Peishkar's and Tahsildar's powers to the Chiefs and their agents, in the matter of recovery of rent, I am in entire agreement with what my friends Messrs. Sambasiva Aiyar and Kunjukrishna Pillai said. The bestowal of these powers on the Chiefs and their agents would result in abuse of power on the part of the proprietors and their agents and would bring incalculable misery to the inhabitants of Edavagais. In this connection, I beg to submit that the Government must undertake the responsibility of collecting the tax as they are going to do in the case of Jenmikaram.

[Mr. S. Nilakanta Pillai.]

Then, I have to say a word about the extent of the Bill. A reading of the Bill as a whole would show that the Bill is made applicable to Poonjar, Vanjipuzha, Kilimanur and Edapalli. But Section 1, part (2) says that the Bill extends to the Edavagais mentioned in the Schedule and to such others as may be notified by our Government. The Schedule includes only Poonjar and Vanjipuzha. So doubt arises as to whether the Bill applies to Kilimanur and Edapalli. My submission therefore is that it should be definitely stated that the Bill applies to all the four Edavagais, namely Poonjar, Vanjipuzha, Kilimanur and Edapalli.

In conclusion, I beg to submit that, if at all the Bill is to be committed to the Select Committee, there the Bill must undergo a thorough change; additions and alterations must be made wherever necessary; and the various rights existing between the proprietors and the tenants should be defined and settled properly and in detail. Finally I request, Sir, that the Government should spare no pains to bring the tenants in Edavagais on a par with the *Pandarapattam* tenants.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I support the principle of the Bill, but I wish to bring to the notice of the House that there are certain objections to it. First of all, I object to the definition of 'Edavagai'. It is defined here as follows:

> "Edavagai means a compact area recognised as such in the Government accounts, the whole or any portion of which area is exempt from payment of revenue to Government."

Suppose a certain man or a certain family has got a compact area of property and that family had got or may get in future a compound tax free. That also may be treated in future as 'Edavagai' if a notification is issued by Government. If that be allowed, there may arise several petty kingdoms in our petty State of Travancore.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will such a compound be recognised as an 'Edavagai'?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I did not use the word 'recognised'.

MR. T. K. ALEXANDER (*Kunnatnad I*): Does the member think that the Edavagai Chiefs are given sovereign rights?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): He has not got sovereign rights, but he is to be given something that may be called sovereign rights. He is to be given the powers of a Tahsildar, the powers of a Peishkar and other things and what else is required to have sovereign rights?

DEPUTY PRESIDENT: The authority of a Tahsildar or a Peishkar is not any kind of a sovereign right.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Section 5, Clause 2 reads

> "The rent fixed shall in no case exceed one-fourth of the gross yield of the land and shall be subject to such deductions as may subsist by contract or by custom between the proprietors and the tenants."

The rental, in Regulation IV of 1068, it is stated, will be fixed as on Government lands. Here it is said that the rental may be fixed in such manner that it may come up to ¼ of the gross yield of the land. What is the meaning of the word "yield"? It is very difficult to understand. It may be the yield from tapioca or tea plantation or anything else. In Poonjar, Vanjipuzha and other places, even cocoanut trees are not fit to be taxed at present. Very lately there was an instance of a special expert being sent out to inspect a certain cultivation which is only twelve years old and that expert himself found that about thirty per cent. of the cocoanut trees planted are attacked by some disease, the name of which the learned Chief Secretary may know. I do not know what it is. If cocoanut trees are attacked by such diseases, it is certain that arecanut trees are also attacked and when cocoanut trees and arecanut trees are attacked by such pestilential diseases, even jack trees will be affected. Plantain trees die out or their leaves get dried and in two months the plantain trees themselves will die out.

MR. A. EASWARA PILLAI (*Kottarakara*): I rise to a point of order. My friend is speaking about the cocoanut trees while discussing the principle of this Bill.

DEPUTY PRESIDENT: I think Mr. Raman Pillai is perfectly in order.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I have mentioned these things simply to bring to the notice of this House what the sufferings of the tenants will be if the word "yield" is not removed. It ought to be taken away. In the Northern Division and in the northern half of the Central Division, cocoanut trees and arecanut trees will not grow in future. They will grow only after the devastating disease is removed; and unless and until that is done, no trees can be taxed in that portion of the State. If such be the case, what is the meaning of the word "yield" in the Bill? Some other method must be found out. The land must be taxed and the tax must be fixed in accordance with the quality or the fertility of the soil. The trees cannot be taken into account in making assessment. That expression "gross yield" will go against the interests of the tenants.

MR K. C. ABRAHAM (*Kottayam II*): May I know how the quality of the soil is to be fixed apart from the yield?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): It was fixed in 1061 or so by a Proclamation as regards Settlement. The land was divided into certain classes and the tax was fixed. Somehow or other the Settlement authorities found out the different classes of properties. Similarly, those experts may find out the fertility of the quality of the soil. A settlement may take place 30 years after the coming settlement. I do not know how permanency can be obtained if a settlement is to be made every thirty years. So, that also should be taken away from the Bill. It should be a permanent settlement, so that the tenants may have permanent rights over their holdings.

As regards Section 10, suppose the Settlement authority, deliberately or by chance, does not settle a certain plot of land which has

[Mr. R. Raman Pillai]

been in the possession of a tenant for the last 30 or 40 years. Is he to be evicted? That can never be allowed. Resort to Civil Courts must be had in appropriate cases. No provision is made for that in this Bill. Every statute must be, as far as possible, self-contained. So, such a provision also must be inserted.

Can Edapalli and Kilimanur Edavagais be resettled as the Regulation of 1068 is hereby repealed and there is nothing in this Regulation saying that the Edapalli and Kilimanur Edavagais may be re-settled? All charges and losses that may be incurred by our Government may be paid by the Chiefs. Why not Government take up the whole responsibility for settling the land, calculating the tax and paying the balance found after deducting the expenses to the Chief and avoid all difficulties? There are several other tenures in these Edavagais, such as *Pandaravagai*, *Thiruvilam*, etc. These tenures are not mentioned in this Bill.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സെക്ഷൻ ൭ ക്ലാസ് ൨-ൽ ഇങ്ങിനെയുള്ളതുകൂടി ഉൾപ്പെടുമോ?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): How can these customs be known? That is the difficulty.

Now as regards investing agents with the powers of Tahsildars and Peishkars, I would fully agree with my friends who spoke against it and I had the misfortune of speaking against itself once before.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was it a misfortune?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I think so. It is brought up again.

DEPUTY PRESIDENT: You please proceed with the subject.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Investing the agents and Chiefs with the powers of Tahsildars or Magistrates is not desirable. Several of the Chiefs themselves may be said to be not sufficiently educated, but some of the Chiefs are otherwise. Even if they are very well educated, I think they cannot be given such powers.

Sripadom is governed by members of our Royal Family. Even then the members of the Legislative Council were not prepared to agree in giving such powers to Sripadom Officers. So, I do not think many of the members will be prepared to agree to invest such wide powers on all Chiefs and agents generally. I propose that the Select Committee when appointed should be directed to go to the Edavagais, enquire about the several tenures and about the other customs obtaining there and all those tenures should be entered explicitly in the Bill. I have also to submit to this House that existing contracts should never be violated. Properties that passed to the hands of the tenants under contracts and on payment of money should never be liable to the levy of fresh *tharavila* or *thadivila*. I hope that the Select Committee will go to the Edavagais make necessary enquiries and investigation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I know from the member whether tenants holding lands on *Venpattom* may be asked to pay *tharavila*?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I have no objection. They may be asked to pay. The members of the Select Committee may be directed to enquire into the matter and make necessary recommendations.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Then according to the member, the prior payment of a very small amount will be enough to deprive the Jenmi of *tharavila* in the new settlement. Suppose the Jenmi granted the property permanently for a few rupees. Is that enough?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): For that purpose I request again that the Select Committee should be directed to make the necessary investigation in the matter and suggest the necessary alterations.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സർ, ഈ ബില്ലിനോട് അനുബന്ധിച്ചിട്ടുള്ള ഉദ്ദേശവിവരണങ്ങളിൽ അന്തർഭവിച്ചിട്ടുള്ള തത്വങ്ങളോട് ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു. ഈ ബില്ല് നിയമമാക്കേണ്ടതു് ടെനൻസിനേയും ജന്മിയേയും സംബന്ധിച്ച് വളരെ അത്യാവശ്യമാണെന്നാണ് എന്റെ അനുഭവത്തിൽപെട്ടിട്ടുള്ളതു്. ഈ ബില്ലിനെസംബന്ധിച്ച് കൂടുതലായി ചില നിർദ്ദേശങ്ങൾമാത്രമെ എനിക്ക് നൽകുവാനുള്ളു.

൨-ാംവകുപ്പ്, ൧-ാം ഉപവകുപ്പിൽ ടെനൻറസ് എന്നുള്ള പദത്തെസംബന്ധിച്ചുള്ള വിവരണം ഭേദപ്പെടുത്തേണ്ടതാണ്.

"Tenant" means a person who derives title to a holding immediately from the proprietor, and includes the *Karanavan* of a *Tarwad* or manager of a joint Hindu family.

എന്ന് പറയുന്നതിൽ "Immediately from the proprietor" എന്നുള്ള പദപ്രയോഗം ഭേദപ്പെടുത്തണം. ചീഫിൽനിന്നും കുടിയാന് വസ്തുവിന്മേൽ ലഭിക്കുന്ന അവകാശം മൂന്നു കാരണങ്ങളാൽ സാമാന്യേന നശിച്ചുപോകാൻ ഇടയുണ്ട്. (൧) മരണം, (൨) ആക്ററസ് അഫ് പാർട്ടീസ്, (൩) ആപ്പറേഷൻ ആഫ് ലാ എന്നീ മൂന്നു കാരണങ്ങളാൽ ചീഫിൽനിന്നും നേരിട്ടുകിട്ടിയിട്ടുള്ള അവകാശം ആ കുടിയാനിൽനിന്നും അന്യരിൽ ലയിച്ചുപോകുന്നു. അങ്ങനെ പിൻതുടർച്ചാവകാശവഴിയോ മററു അവകാശമുറയ്ക്കോ അവകാശം ലഭിക്കുന്നവരെക്കൂടി ഉൾപ്പെടുത്തത്തക്കവിധത്തിൽ വിവരണത്തെ ഭേദഗതിചെയ്യണം.

൩-ാംവകുപ്പ്, ൨-ാം ഉപവകുപ്പിൽ സെററിൽമെൻറ് ആഫീസറുടെ തീർച്ചയെസംബന്ധിച്ച് അപ്പീൽകൊടുക്കുന്നതിന് ജന്മിക്കും

[Mr. T. P. Velayudhan Pillai]

കുടിയാനും അവകാശം നൽകിട്ടുണ്ട്. അപ്പീൽമൂലം ലഭിക്കുന്ന തീൎച്ച്യിന്മേലും ഉഭയകക്ഷികൾക്കും സങ്കടം ഉണ്ടാകാവുന്നതാണ്. അങ്ങിനെയുള്ള സങ്കടം സിവിൽക്കോടതിമുഖേന പരിഹരിക്കപ്പെടുവാനുള്ള അവകാശം രണ്ടുകക്ഷികൾക്കും കൊടുക്കേണ്ടതാണ്. അതിനെസംബന്ധിച്ചുള്ള വ്യവസ്ഥകൾ റഗുലേഷനിൽ ഉണ്ടായിരിക്കണം. ൧൨-ാം വകുപ്പനുസരിച്ച് സെററിൽചെയ്തതിനുശേഷം കുടിയാനിൽനിന്നും ഈടാകുവാനുള്ള അവകാശം അതാതുവസ്തുക്കളിൽ പ്രഥമബാദ്ധ്യതയാണെന്ന് പറയുന്നുണ്ട്. അങ്ങിനെയുള്ള അവകാശം സ്ഥാപിതമായിട്ടുണ്ടെങ്കിലും സെററിൽചെയ്യുന്ന അവസരത്തിൽ ജന്മിക്ക് ഈടാകാനുള്ള കുടിശിഖസംഖ്യയ്ക്കു് ആ വസ്തു ബാദ്ധ്യതപ്പെട്ടിരിക്കുമോ ഇല്ലയോ എന്നുള്ള സംഗതി ഈ വകുപ്പിൽ പ്രസ്താവിച്ചുകാണുന്നില്ല. അതിനെ സംബന്ധിച്ചുള്ള ഒരു വ്യവസ്ഥ ഈ ബില്ലിൽ ഉണ്ടായിരിക്കേണ്ടത് അത്യാവശ്യമാണ്. ഈ പ്രസ്താവനകളോടുകൂടി ഞാൻ ഈ ബില്ലിനെ അനുകൂലിക്കുന്നു.

MR. A. EASWARA PILLAI (*Kottarakara*): Most of the learned members are opposed to the principle of Section 17 of the Bill. For my part, I find nothing objectionable in Section 17. The Section only says that the Government may, subject to such rules and conditions as may be prescribed, empower any proprietor or his agent with all or any of the powers of a Tahsildar or a Division Peishkar under Regulation I of 1068 and under Regulation IV of 1091. This power is given only in the matter of collection of rents or taxes. Now the Proverthicar has got the power to collect taxes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the Proverthicar exercises the powers of a Tahsildar or Peishkar now?

MR. A. EASWARA PILLAI (*Kottarakara*): No. He does not exercise. He is empowered to collect taxes and for that purpose he has power to take coercive steps. Power contemplated under Section 17 is purely discretionary and Government can withdraw such power from the Chief or his agent at any time when they abuse that power. Generally people are averse to pay taxes. If the power is not given to the Chief or agent, for taking coercive steps to collect taxes, they will have to apply to the Tahsildar. The local Tahsildar is an officer who has to attend to multifarious business. He may not find time to help the Chief in collecting the dues in time. So some sort of power must be given to the Chief or his agent for collecting his taxes. At least the power of a Tahsildar may be given to the Chief to take coercive steps against defaulting tenants. So, I do not agree with my friends when they say that the proprietor or his agent should not be conferred with any power.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know from the member whether he realises that the powers contemplated under Regulation I of 1068 and IV of 1091 will extent to inflicting of imprisonment of parties ?

MR. A. EASWARA PILLAI (*Kottarakara*) : No imprisonment in this case. In the matter of speedy collection of taxes or rents, some sort of power to the Chief or agent is highly indispensable. This section does not contemplate it. So, the principles must be retained intact.

DEPUTY PRESIDENT : So far as we are able to see, most of the members who have spoken in favour of the principles with certain reservations and with certain suggestions for modification in the Select Committee. Hitherto I have not been able to see any one coming forward to oppose the Bill. I must remind you that, as far as possible, consistently with the proper discussion of this question, I want to remind the House of what we undertook on a former occasion with regard to the educational policy.

Therefore, in discussing this Bill (or any other Bill) anybody who opposes the Bill may come forward, so that a more profitable discussion can be had within the time available.

The House adjourned for lunch at 1-16 P. M. and re-assembled at 2-1 P. M.

MR. T. P. RAMASUBBA AIYAR (*Nominated*) : Sir, I would like to say a few words on this Bill. In the first place, sub-section (2) of Section 1 of the Bill says that this Bill extends to the Edavagais mentioned in the Schedule and to such others as may be notified by Our Government. But in the Schedule only two Edavagais are mentioned. There is no mention about the Edapalli and the Kilimanur Edavagais except in Section 12. I consider that this is insufficient. A separate Section to the effect that the Bill will be applicable to the Edapalli and Kilimanur Edavagais also, in regard to matters not provided for in the Regulation now applicable to them, should be introduced in the Bill.

Section 5 (1) says—

" (1) Subject to such rules as may be prescribed, the conduct of settlement and the proceedings of the Settlement Officer shall, as far as may be, be regulated by the procedure, for the time being in force, relating to the settlement of Government lands".

I take it that this provision will apply also to the registry of *cana pattom* and other lands held by tenants within the Edavagais at the time of settlement.

In regard to the rate of assessment, Section 5 (2) says.

" (2) The rent fixed shall in no case exceed one-fourth of the gross yield of the land and shall be subject to such deductions as may subsist by contract or by custom between the proprietors and the tenants".

This is a very important provision since it is this that is going to guide the Settlement Officers in settling the lands. The Law Member was not able to give us definite information as to whether 25 per cent. of the yield is the maximum that the Chiefs are getting at present. If the tenants are really paying much more or much less than this 25

[Mr. T. P. Ramasubba Aiyar.]

per cent. now suggested in the Bill or any other definite percentage of the gross yield that may be suggested by the Select Committee, if they too are going to do it, there will be real difficulty in settling the land. Either the Chief will be hit or the tenant. What I would therefore suggest is that, at least before the meeting of the Select Committee, Government should obtain more definite information as regards the several tenures obtaining in the Edavagais and the rates of rent, particularly the lowest and the highest, now being paid by the tenant, and also all such relevant information. What I have to suggest in regard to this matter is that the principle that now applies to the Kilimanur and Edapalli ~~Edavagais~~ may be made applicable to these two Edavagais also. So far as the Edapalli and Kilimanur Edavagais are concerned, the principle is this. In regard to paddy land, one *para* is set apart for seed, one *para* for cultivation expenses—these two *paras* are deducted from the total yield and given to the cultivator as part of his share—and out of the net balance six-tenths goes to the proprietor and four-tenths to the cultivator. In the case of garden lands, an appropriate rate is fixed for the land and the yielding trees of specified description are taxed according to specified rates. In this Bill, on the other hand, the maximum of 25 per. cent. of the gross produce is made applicable to paddy lands and garden lands alike. I made a rough calculation and found that the provision in the Bill, when compared with the rates obtaining in the case of Government lands, about which I quoted the Royal Proclamation of 1061, works very favourably to the Chief in the case of lands carrying a *pattom* of 6 *paras* and above, and at very great disadvantage to the Chief in the case of lands carrying a *pattom* of less than 6 *paras*. And, in the case of garden lands, according to the provision in the Bill, it works at a very great disadvantage to the tenant—the rent will be abnormally heavy. Let us take, for example, a garden with 60 cocoanut trees per acre. If Rs. 2 is taken as the annual yield of a tree, the gross yield comes to Rs. 120 per acre. Twenty five per cent. of that is Rs. 30. That is certainly very high for an acre of cocoanut garden especially when compared with the rate of assessment by Government. I would therefore suggest that, in this matter, the method of assessment provided for in the Royal Proclamation of 1061 in the case of the Edapalli and Kilimanur Edavagais may be followed and made applicable to the Vanjipuzha and Poonjar Edavagais also. For that purpose, the necessary information in regard to the present rates of rent must be obtained before the Select Committee meets. Unless we prescribe some definite method of assessment in the Bill, it is sure to lead to trouble at the time of settlement.

Then, I understand there are, in these Edavagais, some special tenures, like the *adima* and the *Tiruvulam* tenures Section 24 of this Bill lays down that these are also subject to the ordinary rates of assessment. These are *inam* lands and bear only 1/8th assessment ordinarily, and one-half on alienation. The lands held under the Chief also require special treatment in this matter. The Sections in the Bill relating to these matters are defective and require amendment.

Coming to Sections 10 and 17, to which reference has been made by some of the members, there seems to be apprehension that the officers of the Chiefs, who are sought to be given powers under the Revenue Recovery Regulation, are likely to misuse those powers. In regard to Edapalli and Kilimanur, the present position is this. The officers of the Edavagai are given powers of the Proverthicars; the Tahsildar for the Edavagai is the Tahsildar of the taluk; so also the Peishkar. In case of default, the Edavagai Proverthicar prepares the demand notices and submits them to the Tahsildar of the taluk. He is expected to look into the Rent Registers, satisfy himself that the demand is correct and then sign the notices. But as a matter of fact, the Tahsildars blindly sign these notices and afterwards do not concern themselves with the matter. Coercive steps are also taken when necessary, without any difficulty, at the suggestion of the Edavagai Proverthicars. In the case of *poramboles* also, the Tahsildars are supposed to take action; but, there have been very few cases in which actually they have taken action. In a comprehensive law of the kind now sought to be enacted, the object of which is to help the Edavagai as well as the tenant, certainly provision must be made conferring powers, under the Revenue Recovery Regulation and the Poramboke Regulation, on the officers of the Edavagai, subject, of course, to necessary and adequate safeguards in order to prevent abuse or misuse of such powers. Some of my friends suggested the *Masappadi s* of the Chief being given powers of the Dewan Peishkar. I would like to draw attention to Section 2 (4) which definites "Agent".

> "Agent" means a person appointed by a proprietor for the management of his Edavagai and whose appointment has been approved by the Government and notified in the Government Gazette."

It is not any servant of the Chief that can be called his "Agent" for the purpose of this Bill.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I ask whether such agent will be answerable to Government once the Government approve of his appointment as agent?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): He will be answerable in the sense that all his records are subject to inspection by the local Tahsildar at any time, and also subject to the annual *Jamabandi*, so that, if there is any irregularity, it will be brought to the notice of the Chief and the officer brought to book.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Will he be subject to control by the department like other officers of the department?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I may point out that Government will not approve of the appointment by the Chief unless the proper person has been appointed. In the case of Poonjar, for instance, at present, it is one of the Government Tahsildars that has been loaned to the Edavagai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am asking whether the Bill, as it is before us, insists on the appointment of such men only.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): There is provision; that is what I am submitting. Section 17 says:

"*Our Government may, subject to such rules and conditions as may be prescribed, empower any proprietor or his agent.*"

Certainly elaborate rules limiting the discretion of these Edavagai officers in the exercise of their powers may be framed by the Government.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know who, in the Edapalli and Kilimanur Edavagais, exercised those powers under the Revenue Recovery Regulation?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I have already explained that the officers of the Edavagais have been given Proverthikars' powers, and that the Tahsildars and the Peishkars for the Edavagais are the Government Tahsildars and Peishkars of the locality.

MR. PUTHUPALLI S. KRISHNA PILLI (*Quilon II*): Has it ever been found to work unsatisfactorily?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): Very; I have had my own experiences in the matter.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Has the member, by his experience, found that it would be better if these powers are conferred upon those persons whose conduct ordinarily forms the subject of complaints? For instance, suppose there is an auction sale of property for arrears and the sale had to be confirmed. Does the member think that it would be in the interests of the aggrieved party to give all the powers under the Revenue Recovery Regulation to the party for whose benefit the auction was conducted or to his agents?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I daresay that the officers appointed by the Chiefs and approved of by Government will be quite as good as Government officers.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is it not likely that this provision will lead to genuine grievance on the part of the tenants and lead to a lot of complaint?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): As I have already submitted, all the Edavagai records are liable to be inspected by the Tahsildar and the Peishkar any time they choose, and have to be inspected once a year by the Peishkar.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether there is any provision in the Bill empowering the Government Dewan Peishkar to interfere with any order passed by an Edavagai Dewan Peishkar?

DEPUTY PRESIDENT: That question need not be answered.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Are these Edavagai officers subject to the disciplinary control of Government officers?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): If, as the result of experience, it is found that a particular officer of the Edavagai is misusing or abusing his powers, there is nothing to prevent the attention of the Chief being drawn to it and the Chief will naturally send that particular officer away and replace him by a proper officer approved by Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Can the Government punish the Edavagai officer?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): No.

Ordinarily, we must take it that the Chief will suggest names of suitable persons to the Government, so that only the right man will be appointed with the approval of Government. Government can, in the rules contemplated by Section 17 of this Bill, lay down the qualifications of these Edavagai officers. Certainly, if the proposal is to confer Peishkar's powers on the Edavagai officer, only a superior officer will be chosen for that post. As I have already pointed out, the present Commissioner in one of the Edavagais is a Government Tahsildar. Where is the harm in such an officer exercising the powers under the Revenue Recovery Regulation?

MR. K. P. KRISHNA MENON (*Parur*): Does the member suggest that there is no harm even in the proprietor being invested with Peishkar's powers? There is that contingency also.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): I know the Bill provides for that also.

DEPUTY PRESIDENT: With reference to Mr. Ramasubba Aiyar's observation that it is a Government Officer (Tahsildar) who is now manager of an Edavagai, I would observe that, in considering such measures as the one now before the House, allusion need not be made to any particular officer, because it will make discussion rather delicate and difficult.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): May I know from the member whether the decisions of the Tahsildars and the Dewan Peishkars are subject to appeal and revision?

MR. T. P. RAMASUBBA AIYAR (*Nominated*): The Tahsildar's decision will obviously be appealable to the Dewan Peishkar who is empowered with revision powers. With regard to power of appeal over decision by the Dewan Peishkar, there is a defect in the Bill to which I am going to refer. The Peishkar's powers have been proposed to be given either to the Chief himself or to his Agent. My question is that, in the case of the administration of this Regulation, so far as Government lands are concerned, the revision power over the Dewan Peishkar's appellate order vested with the Government and subsequently it rests with the Land Revenue Commissioner. There is no provision in the Bill for the revision power being exercised by any officer over the appellate order of the Dewan Peishkar. If, as a matter of policy, the agent of the proprietors is made the Dewan

[Mr. T. P. Ramasubba Aiyar.]

Peishkar, then it may perhaps be possible to give the revision power to the Chief. But if the Chief himself is to exercise the powers of the Dewan Peishkar, it is necessary to invest the Land Revenue Commissioner, or the Government, with revision powers under this law. That is a defect which I think can be rectified in the Select Committee stage. One more point, and I am done. I find that in the Rent Recovery Regulation IV of 1068 also no power is reserved for the tenants to resort to the Civil Courts if they are aggrieved by any of the orders of the officer. I would suggest that, now that this is a comprehensive law, a provision may be made safeguarding those rights.

MR. P. G. RAMA VARMA RAJA (*Co-opted*): Sir, in supporting the Bill in toto I may be permitted to say a few words. The estates of Kilimanur and Edapalli are omitted in this Bill, and my submission is that they also may be included. During the discussion of the Bill, the main objections were with regard to Sections, 10, 17 and 5. My submission with regard to Section 10 is that, in the interests of the Chiefs, such powers are necessary and essential. Especially in regard to the Poonjar Edavagai, I know that as a matter of fact a great portion of the lands have been trespassed upon and certain improvements also might have been made by tenants. If there is no provision in law to evict those tenants, my submission is that the settlement also cannot be properly done.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is there is no provision of law at present?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): There is a provision of law by which the Chief should go to a Civil Court. My submission is that this will take much time and will defeat the provisions of this Bill. It is true that certain lands, especially in the Poonjar Edavagai, have been registered mostly on *Venpattom* lease. What happens generally is that a small bit of land will be registered in the name of a tenant and he will be in possession of double, treble or even ten times the land registered in his name. When a survey and settlement is conducted, there will be a large excess of such land and such an excess of land cannot but be recovered under such a Regulation, and in the interests of the Chiefs and in the interests of the proper conduct of the settlement, my submission is that such provisions are necessary.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇപ്പോഴത്തെ നിയമത്തിൽ ദേഹണ്ഡവില കൊടുക്കുന്നതിന് വകുപ്പില്ലെന്നു് അറിയാമോ?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): അറിയാം.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഒരാൾ ബലമായി വസ്തുവിൽ പ്രവേശിച്ചു് ദേഹണ്ഡം ചെയ്താൽ ആ ദേഹണ്ഡം കൊടുക്കാതെ ഒഴിപ്പിക്കണമെന്നാണോ മെമ്പറിന്റെ അഭിപ്രായം?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): അങ്ങിനെയാണ് എന്റെ അഭിപ്രായം.

MR. N. E. VARUGHESE (*Tiruvalla I*): യാതൊരു ദേഹണ്ഡവിലയും കൊടുക്കരുതെന്നാണോ അഭിപ്രായം?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): When the entry itself is unlawful, my opinion is that no compensation ought to be given for improvements.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇപ്പോൾ നിയമപ്രകാരം ദേഹണ്ഡം വാങ്ങുന്നതിന് അവകാശം ഉണ്ടെന്നുള്ള സംഗതി അറിയാമോ?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): അങ്ങിനെ ചില കോട്ട് വിധികൾ ഉള്ളതായി എനിക്കറിയാം.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Does the member make a difference between old entries and comparatively recent entries, that is to say, a trespass, say, a hundred years old, and a trespass only a year old?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): A trespass is a trespass whether it took place a hundred years ago or only a year ago.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Is it the view of the member even then that a trespasser cannot be compensated?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): I do not say that he should be totally deprived of compensation. But that matter also may be considered by the Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the law of prescription has to be applied in the case of these lands?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): It is a matter for the Civil Courts.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I wanted the opinion of the member as representing a particular interest and I did not want a Civil Court judgment on it.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): May I know from the member the special claims of the Edavagai Chiefs to be, exempted from all the provisions of the civil law in the country?

DEPUTY PRESIDENT: Mr. Raja may give his opinion, if he has any; but he is not bound to give it. It will mean so much of historic research.

Mr. ... : My submission is that when ...ted to be settled, such ... th...

789

[Mr. P. G. Rama Varma Raja.]

Section 17 is another Section over which there is some controversy in this House. With regard to that point, especially with regard to the Poonjar Edavagai, I may submit that almost more than three-fourths of the land are held by tenants on *Venpattom* tenure. At present the Chiefs have got the right to recover the property and now this Bill enacts that the tenants will get a permanent tenure over these holdings.

MR. A. THANU PILLAI (*Trivandrum Rural*) : May I know from the member whether the Chiefs are prepared to give permanent rights to all the *venpattom* holders ?

MR. P. G. RAMA VARMA RAJA (*Co-opted*) : Provided, we are also compensated for the surrender that we make.

DEPUTY PRESIDENT : Does Mr. Raja answer on behalf of the Chiefs or only as a member of this House ?

MR. P. G. RAMA VARMA RAJA (*Co-opted.*): As a member of this House.

DEPUTY PRESIDENT : Then you cannot put him the question, Mr. Thanu Pillai.

MR. P. G. RAMA VARMA RAJA (*Co-opted*) : In fairness to the Chief, my submission is that either he or his agent should be invested with the powers of collecting revenue. Otherwise, he will have no certainty of getting his income. My submission is that, in view of the surrender of the rights that he makes, his interests also should be safeguarded and he should be allowed the powers of collecting the revenue due to him.

MR. KANIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : What is the objection of the member to Government appointing directly persons to collect these taxes and handing them over to the Chief ?

MR. P. G. RAMA VARMA RAJA (*Co-opted*) : Let me inform the member that the properties belong to the Chiefs in spite of the settlement that is made by the Government and the Chiefs have not surrendered their ownership over the property and that they want to retain with them the right or authority over the property.

MR. KAINIKKARA M PADMANABHA PILLAI (*Changanachery I*) : May I explain my question, Sir ? I expressly stated that the tax should be collected and handed over to the Chiefs. That is because the property belongs to the Chief. I want to know why the Chief himself should have the power to collect the tax ?

MR. P. G. RAMA VARMA RAJA (*Co-opted.*) : Surely, the Chiefs want to retain with them the authority of collecting the tax. In the absence of a provision to recover the tax from the tenants, the Chiefs will be in a very disadvantageous position. They will have surrendered their rights to the tenants and [illegible] the surrender. My subm[illegible]

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know from the member whether, in case the tenant sometimes neglects to pay harm will be done to them?

MR. P. G. RAMA VARMA RAJA (*Co-opted*): They must pay when action is taken.

In regard to all the provisions of the Bill, I support the Bill in toto.

MR. A. THANU PILLAI (*Trivandrum—Rural*): For well-known reasons, the State is placed in an altogether different position from any other land-owner. The laws enacted for facilitating the collection of Government tax should by no means be made applicable to benefit a private individual, unless there are very convincing and forcible grounds for adopting that course. (Mr. Krishna Panickar: *Hear, hear*). We recently passed a Regulation enabling the jenmies to collect the dues or to have their dues collected in a much easier way than they used to do, because we considered that, taking into account the position of the jenmies in the State, the circumstances in which the tenants were placed, the sacrifices the jenmies were willing to make in favour of the tenants, the amount of litigation in the country, taking all that into account, we should pass a law enabling the jenmies to collect their tax or to have their taxes collected in a particular way. Now, that was referred to by the Law Member in the course of his speech. Similarly, Sir, we can think of a legislation like this only in the event of the proprietors of these Edavagais making substantial sacrifices in favour of the tenants. So, the provisions in the Regulation in favour of the proprietors should certainly depend upon the extent to which the tenants are going to be benefited. And it is in that view that I wish to analyse these provisions. It was stated that the tenants are hereafter going to get permanency of tenure. What is the permanency of tenure and what tenants are going to be given that? These questions have not been answered. Is it that the present *Venpattom* tenants would get permanent tenure? Sir, it was admitted here that a large majority of these Edavagai lands are held under *Venpattom* tenures, at any rate, in Poonjar. They will get permanency of tenure, if I am to understand, from the course now proposed, from the discussion here, only in case they make a payment. That position is not clear at all. Probably that matter may be discussed in the Select Committee. As the provisions of the Bill now stand, that matter will have to be settled by rules to be prescribed by Government.

Sir, from certain answers I gather that certain tenants have been granted these lands with a right to enjoy them permanently. Barring those tenants, others are all *Venpattom* tenants. They have to make payments by way of *tharavila* and *thadivila* and then to get registry in their names.

DEPUTY PRESIDENT: Just to enable myself to follow your argument, one question. Would you consider the proprietors of these Edavagais as ordinary jenmies or would you give them a higher rank?

MR. A. THANU PILLAI (*Trivandrum—Rural*): I would consider them a different set of people from the jenmies.

Government have treated them only as ordinary tenants. At the time of settlement these are not settled. From the Land Revenue Manual, I find one statement where it relates to the Vanjipuzha Chief's relations between him and his tenants as those between a landlord and tenant, and Government are not very certain. So a survey and settlement of his Edavagai was not done. On the other hand, since that has been the way in which the Edavagai has been treated thus far, it is for the member who brought forward the Bill to make out a case of treating this Edavagai on a different footing. That case has not been made out. So apart from that, what is the benefit that is going to accrue to the subjects of His Highness? What is that benefit that is to be offered is the question? I have not been able to get a satisfactory answer. That may be left to the Select Committee and may be settled. That is the reply. But will the Select Committee be able to go into the matter and discuss in extenso and arrive at a conclusion?

One more observation. This is a measure that is going to affect all parties, the Edavagais and the tenants intimately. For that we should have sufficient materials placed before us by the Edavagais and also by the tenants. Is there any agitation on the part of tenants? What is the nature of that? What are the materials that they have brought forward? What are their demands? All these things are not placed before us. Personally, of course I am not the judge in the matter; I am strongly of opinion that these particulars are highly necessary to arrive at a conclusion in regard to these matters. Let us go into the comparative advantages and disadvantages. What are the advantages the tenants will get? Permanency of tenure apart from liability to pay. That is something which I can appreciate. But facts are not forthcoming. If it is liability to pay, I take it, I am open to correction, these *Venpattom* tenants after payment of different amounts at different rates have taken the tenure of the land. There may be *Venpattom* tenants who may have advanced nothing. There may be *Venpattom* tenants who may have paid Rs. 10 per acre. There may be those who may have paid Rs. 100 per acre and Rs. 1,000 per acre. It may be so. Nobody says the facts are not so. In the case of these tenantss what are the principles to be adopted? Are these things to be left to the rules to be framed by Government? I think it would be dangerous to do so. We must try to arrive at and settle rules in advance and we must make clear provisions in the Bill before it emerges from the Select Committee. And probably if it is found necessary, evidence will have to be taken; and I agree with Mr. Raman Pillai that evidence may be taken by the Select Committee if it is found necessary.

Then, with regard to the amount of assessment, the maximum fixed is one-fourth of the annual yield. I may also mention in this connection the great flaw in the statement that we are going to give

permanency of occupancy to the tenants as compared to the permanency of occupancy otherwise given at the time of the settlement of Government land. That settlement started on the basis of a Proclamation that persons who were enjoying unsettled lands will be given permanency of tenure. There is nothing like that in this Bill. I do not find any provision that, in the case of such lands as are settled, there would be permanency of right of occupancy. In the case of those lands there would be that. To safeguard the interests of the tenants there are no definite rules. The Select Committee should go into the matter and then very carefully look to the interests of the tenants and see that absolutely none suffers, because the tenants have not come forward that they should get a permanent right of settlement and all that.

So in regard to the amount of assessment, the only provision is that it should not exceed one-fourth of the gross yield. It was only the principle that we discussed at the time of the Land Revenue Settlement and they have to be accepted in this case as well.

Coming to the other provisions of the Bill, I am entirely at variance with the members who pleaded for the investing of the Chiefs and their agents with powers, which should not be conferred on anybody under the sun, over whom Government have not complete disciplinary control. Here, Sir, all the Statutes, practically all the operative Statutes relating to recovery of land revenue and administration of public lands are said to be made operative within the Edavagai and put into effect and availed of by the agents. This is the position I really shudder to think of. It may be stated that after all competent men will be appointed. They may be competent or incompetent, there is no guarantee. If an officer does anything in an official capacity he must always have the feeling that he is liable to be scrutinised. Here, there is no guarantee like that. All the Regulations, the Land Assignment Regulation, the Land Conservancy Regulation, the Land Revenue Recovery Regulation, all these are said to be made applicable. Personally I think there is no justification for making the Land Conservancy Regulation, popularly known as the Poramboke Regulation, being made applicable to these Edavagais. If a proprietor mismanages for decades and decades and ultimately finds no source of help, he comes and tells us "My affairs are in confusion. Enact a law to enable me to collect my tax. Invest me with power. I shall evict all the tenants." Can anybody be heard to say this? I think not. I fully realise that these persons own large areas. A person who owns large areas must have sufficient resources at his command to deal with the situation arising inside his property. A person may own one acre of land. He will come and complain that 90 cents are encroached and he will request Government to permit him to exercise the Land Conservancy Regulation to get his 90 cents. Similarly it may be a person with 50 square miles. He may say all my lands are occupied by trespassers and so give me the power. That is a plea that cannot be heard. In the case of these Edavagais, they are extensive lands where government certainly is being carried on in respect of Governmental

[Mr. A. Thanu Pillai.]

activities much in the same way as in any other part of the land. There are schools and hospitals and roads and all these are Government institutions. There is policing. For these the Edavagais do not contribute anything to the State coffers. Now they come and say "Our personal affairs are in confusion, come and help us."

So I am clearly against the Land Conservancy Regulation being put into operation in any part of the Edavagais. If substantial advantages are given to the tenants, I may concede that the settlement may be effected and we may go to the extent of helping these Edavagai Chiefs, to collect their rents by putting into effect the laws as in the case of jenmies, for whom provision is made in the Rent Recovery Regulation. When these Regulations are put into effect, action need be taken by Government Officers only.

The Edapalli and Kilimanur Edavagais are as important as the Poonjar and Vanjipuzha Edavagais and when Regulation IV of 1091 was passed bringing into effect Regulation I of 1068 for purposes of collecting rents, care was taken to clearly state in the Section that the Revenue Recovery Regulation be put into effect "by our officers". Why, Sir, by omitting these three words "by our officers" what change is sought to be made in the year 1109 which was not found necessary in 1068? I cannot understand what took place in the State during this period between 1068 and 1109 to make such a change in the laws of the land. Just remember the high-handed acts of the Chiefs or their agents. It has to be remembered that it is the citizen of the State that is concerned here in the investing of the Chief or his agent with power to attach and sell movable and immovable property of any Travancore citizen.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ടെനൻസിനെ അല്ലാതെ മറ്റുള്ള വരേയും ഈ നിയമം ബാധിക്കുമോ?

MR. A. THANU PILLAI (*Trivandrum-Rural*): I believe that these tenants are also Travancore citizens. They are also under the protection—the benign protection—of our Government and the laws that our Government administer. There is no distinction on that score. I am therefore emphatically against any power being vested in them.

My proposals are therefore that the Land Conservancy Regulation should not be made operative on these areas by the agent or the Chief. The other Regulation—Revenue Recovery Regulation—may be made applicable subject to the proviso I have stated above. If the provisions are accepted as embodied in this Bill with these reservations—and they are very very great reservations—I concede that, in my opinion, the Bill may be accepted.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I wish to make a few observations upon this Bill that is now placed before this House. So

far as it goes to improve the condition of the tenants, I accept the principle of the Bill. But when that concession is made the pretext for taking away the ordinary rights of the citizen, I oppose the principle. In this we find that extraordinary powers are to be utilised for realising the dues of certain Edavagais.

With regard to Edapalli and Kilimanur, the rights to realise their dues under the Revenue Recovery Regulation was conferred in 1068. We find that, though subsequent tot hat, the commutation rate at which the tax is to be realised was fixed at a low figure by the Travancore Government, Edapalli and Kilimanur are not bound by it. The machinery by which these dues are collected by the Travancore Government has been taken advantage of by these Chiefs to oppress the ryots. When therefore by taking advantage of a particular power vested in them by a Regulation, these Chiefs have been oppressing the ryots, is it proper for this House to extend such powers to certain other Chiefs also? I have been advocating the cause of some of the tenants of Edapalli to the Government and I found that the reply given by the Government was that they are powerless. In view of that reply we must take particular care to see that the rights which are to be given to the chiefs of such Edavagais are restricted. We find that the opinions that proceedings in execution of Civil Court decrees against persons must be prohibited and that immovable property must not be sold in court auction are gaining currency. Those are the ways by which the Edavagai Chiefs could realise their dues at present. Now they want to make use of the Government machinery to realise their dues when the right to realise the dues of the rest of the inhabitants of this country is going to be restricted. I think that we must take particular care that we do not allow this Bill to be passed in this form

DEPUTY PRESIDENT: May I remind the member that this is a Government Bill? It is not the Edavagai owners wanting to make such a machinery but Government proposing to give them.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): No Sir, it is answered by the Law Member that representations were received by Government from the Edavagai Chiefs and therefore it was at their instance that the Government have brought forward the Bill.

DEPUTY PRESIDENT: But Government are responsible for this piece of legislation.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): With regard to this legislation, now it is placed before representatives of the people and so our responsibility is heavy. We find that when the tenants of Edapalli or Kilimanur made some representation to the Travancore Government to give them some conveniences and amenities now enjoyed by the rest of the inhabitants of this State, they are told that they must go to the Edavagai Chiefs. Sir, I ask, if the Edapalli Chief or Kilimanur Chief or Poonjar Chief desires to enjoy the privileges of a Sovereign by realising the dues through the aid of the Revenue Recovery Regulation,

without putting in action such a provision of law, it does not stand to reason that in these days, *i. e.*, in 1109, we should come forward with an enactment which is subversive of all accepted principles of law. Regulation IV of 1068, does not contain any provision corresponding to Section 17. The principle contained in Section 17 is the principle brought forward on several occasions for the consideration of this House and rejected in a summary fashion. It is the same as that involved in the Revenue Recovery Regulation Amendment Bill, otherwise known as the Sreepadom Bill. I do not understand why this should be brought forward again and again. Sir, then this question was carefully and elaborately considered. The Government were able, at that time, to get a majority, but it was found that it was inadvisable to accept this principle and therefore that Bill, which was passed by this House in the teeth of very strong opposition, was never brought forward and accepted as law. Therefore, Sir, I think that Government should very willingly come forward and withdraw Section 17. During 40 years Edapalli and Kilimanur realised their dues and it does not appear why other Chiefs could not realise their dues in the same way. It has been startling news to me, Sir, that a person of such high experience as Mr. Ramasubba Aiyar should have come forward with a suggestion that it should be accepted. I am sure that he would not advocate payment of a portion of the collections to the officer concerned.

DEPUTY PRESIDENT : May I point out that what an officer would have done when he was in service does not arise?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I [illegible] that, I am only referring to the general principles involved in carrying [illegible] thankless task and an unremunerative work and that is all. Government might give reasonable help in lending the services of their officers.

Then another observation made by him is that there will be annual inspections and half-yearly inspections of the revenue accounts of the Chiefs. We know more or less what these inspections are going to do. We might have even daily inspections of this kind, but they will be of no avail. You are giving them a sword to fight the tenants. After having given them the sword, it is not open to you to turn round and say "You ought not to use the sword we have given you so as to injure the tenant". Such a statement will not be of any avail. Unless there are sufficient safeguards in the Regulation itself, the principles contained in Sections 10 and 17 cannot be acceptable to this House.

I would also like to draw the attention of the House to some of the other grave omissions and shortcomings in the Bill. At first, we thought that this Bill was intended for giving permanent occupancy rights to the present occupants of the Edavagai lands, and we gladly welcomed the measure. It is these people who have invested their money and improved these lands; they must, therefore, be given the right of uninterrupted enjoyment of these properties, provided, of course, they pay punctually the amounts legally due to the proprietor. But, on close scrutiny, we find that the real object of Government is far from it.

[Mr. A. S. Damodaran Asan.]

why could they not give some convenience to the inhabitants fr whom they are realising the dues? So all that I want to say is that the Government is going to help them by providing summary mea by which the dues are realised, the Government should see that t subjects in those places are not in a position of disadvantage wh compared to the other Travancore subjects. If we move Governme that there must be some remission of taxes, that commutation ra should be lowered, Government may do it. At the same time t inhabitants of Edavagais have to pay the full amount. If the rigl conferred by this Regulation are once vested in the Chiefs, t Government would plead inability to interefere with such rights. the Chiefs agree fully to abide by the conditions which are laid do by the Travancore Government, with regard to the manner and t amount of tax to be realised from the inhabitants of those localities, have no objection to confer upon them the rights. Otherwise I am for giving permission for the further consideration of this Bill. W regard to the other observations made by some of my friends, I ho that the Select Committee would take into consideration all t suggestions put forward by the members and bring a thoroughly mo fied Bill for the consideration of this House.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, the Regu tion, IV of 1068, came into operation about forty years back. But made during the long period of 40 years rapid progress in regard to co stitution and preservation of individual rights over person and proper It is rather regretted that, in a piece of legislation introduced 40 yea after the Regulation of 1068, we should find certain provisions which a contrary to all accepted principles of legislation. In 1068 when t Edapalli and Kilimanur Chiefs had to be protected, the Governme or the then Legislative Council did not deem it desirable that the should be a provision for the purpose of summarily evicting the tena who are in occupation of the Chiefs' lands and are effecting substa tial improvements. Now it is a principle accepted by all, ev in very aboriginal countries, that when a person is in occupati of a land, has invested labour and spent money on that land a has improved it, he has got a right to resist eviction as against eve other person in the world. That principle has been accepted by o High Court and has been made the basis of several decisions which to establish this fact that a person in possession, a person who h spent and invested money on land, is entitled to resist eviction. So f as Government are concerned, the Legislative Council has made exception and they say that, under the Land Conservancy Regulati people may be evicted without any regard for funds and labour spe on the land. I am not in a position to understand why that provisi of law should be made available so far as these Chiefs are concerne If from 1068 to 1109, these people can live and protect their rigl

[Mr. Puthupalli S. Krishna Pillai.]

Instead of having the interest of the tenant at heart, I am afraid Government have borne in mind only the interest of the Chief. I may refer, for instance, to the definition of the terms "holding" and "tenant" contained in Section 2.

"One or more parcels of land held under one instrument in writing, and under one set of conditions and, in case of the absence of any such instrument held as the result of a single transaction."

The holder, therefore, is a person, who under the terms of an agreement entered into between himself and the Chief, is in possession of the land. The definition also says that such possession shall be evidenced by deed in writing, or may be proved by parol evidence. If, therefore, in a particular case, the tenant happens to be in possession of land but has no instrument in writing or is not able to establish any agreement between him and the Chief with respect to such possession of the land, he ceases to be a holder under this definition. If, for instance, the person in possession entered upon the property under certain conditions with the jenmi which it is not possible for the tenant to establish, he will not come within the operation of this sub-section.

"A person who derives title to a holding immediately from the proprietor, and includes the karanavan of a tarwad or manager of a joint Hindu family.

Sir, a person's right to be in possession and his right to the value of improvements effected by him, is recognised by law even if such possession has been obtained by trespass. A tenant under the Bill means a person who derives title to a holding *immediately* from the proprietor. If a person happens to derive interest in the property by devolution of interest, either by operation of law or by assignment, is he a person who derives title *immediately* from the proprietor? He is not. He does not derive it *immediately* from the proprietor. He derives it only by various stages of devolution; so, he will not be recognised as tenant under the Bill. There is also another point. The definition says:

"Person who derives title to a holding immediately from the proprietor, and includes the karanavan of a tarwad or manager of a joint Hindu family.

What is the rule applicable to a Christian family? A person who was in possession of the property dies. Two generations afterwards his grandson will naturally be in possession. Does such grandson derive title *immediately* from the proprietor? I can understand the case of a joint Hindu family or of the karanavan of a Nayar tarwad, because the individual in possession is considered to represent the family, and the tarwad is being represented from generation to generation without interruption by the karanavan. But, in the case of people who have ceased to follow the Marumakkathayam system of inheritance, how is this Section to be made applicable? We have to read this Section along with Section 8 which runs as follows:

"Holders of lands within the Edavagais in which a settlement has been carried out under the foregoing provisions shall have the same rights of permanent occupancy in respect of their holdings alienable and heritable as the holders of land under Government."

Sir, according to this Bill, permanent occupancy rights shall be granted only to "*holders*" as defined under Section 2. Sir, I would very strongly oppose this enactment. We are in sympathy with the

Chiefs who, certainly, must collect their dues. We are certainly prepared to arm them with the necessary weapons for the purpose of effectively collecting their dues. But, they should not be weapons which could be used for other purposes. Let the Chiefs get the necessary powers for realising their dues ; but let them give corresponding rights to the tenants also. My friend Mr. Raja said that he was glad that the tenants were going to get occupancy rights. I was very glad to hear that from him. But, when the Deputy President asked him whether he was speaking on behalf of the Chiefs or on his own behalf, Mr. Raja said that he was talking on his own behalf. Then my heart sank. If the object of this Bill is only to arm the Chiefs with dangerous powers under the Revenue Recovery Regulation, I should certainly oppose this measure. In the circumstances, if the Law Member assures us that the Bill will be referred to a Select Committee, that the rights of such Select Committee will be unfettered and that these matters, that I have been dealing with, will be considered by the Select Committee and the Bill suitably amended, I shall certainly support it.

DEPUTY PRESIDENT: When you began, Mr. Krishna Pillai, I thought you were going to oppose it ; and hence I allowed you to speak. You now seem to support it, though conditionally. If I had known it before, I would not have allowed you to speak. A member is entitled to make a speech when he opposes or supports a motion. I thought you were going to oppose it. It is only now when you are about to finish that I find you are giving only a conditional support.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I only want to be reasonable. I am prepared to meet the Law Member half-way. I am certainly not afraid of standing up and saying that I oppose this Bill. Only, as I said, I want to be reasonable. Therefore it was that I suggested that, if the Government were anxious to push through this enactment, they must bear in mind the interests of the tenant also. If the Law Member is not prepared to give me the assurance, I would certainly oppose this Bill.

MR. M. SIVATANU PILLAI (*Tovala*) : May I ask whether, after the principle of a Bill has been accepted by this House, the Select Committee can make substantial changes in the Bill ?

MR. PUTHUPALLI S. KRISNA PILLAI (*Quilon II*) It is only the main principle of the Bill that cannot be altered by the Select Committee ; all subsidiary principles contained in the several Sections can be altered. According to this Bill, the Chiefs shall be given proper powers and means to realise their dues in time and the tenants shall be given adequate protection. That is the main principle. All the other matters now provided for in the Bill are only subsidiary matters which can be dealt with freely by the Select Committee. If these subsidiary questions are not considered to be within the purview of the Select Committee, I would urge the rejection of this Bill even on the main principle.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I move for a closure.

DEPUTY PRESIDENT : I consider that the Bill has not been sufficiently discussed.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഒരുസംശയം ചോദിക്കാനുണ്ട്. ഇടവകകളുടെ പേർപറഞ്ഞ അവസരത്തിൽ വഞ്ഞിപ്പുഴയുടെ പേർമാത്രമേ പറഞ്ഞൊള്ളു. എല്ലാ ഇടവകകളെയും സംബന്ധിച്ചുള്ള ബില്ലാണോ ഇത്?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Who is being questioned, I should like to know.

DEPUTY PRESIDENT: I will take care of it, Mr. Narayana Pillai.

Mr. Varughese, you seem to put a question to the Law Member. He is not now in possession of the House. Please sit down.

MR. K. P. KRISHNA MENON (*Parur*): In supporting the principle of the Bill, I beg to suggest that the names, Edappalli and Kilimanur, should be inserted in the Schedule since the Bill provides for the repeal of Regulation IV of 1068.

As regards Section 17, I would suggest that the proprietor of land should not be invested with any of the powers contemplated in the Section. As regards the managers appointed by the Chiefs, if the person appointed has the necessary qualifications and if the appointment is approved by Government, he may be invested with the powers of the Tahsildar, provided an appeal against his orders will lie to the Dewan Peishkar. Such a provision will be advantageous to the Chief as well as to the tenant.

DEPUTY PRESIDENT: Are you opposing or supporting the principle of the Bill?

MR. K. P. KRISHNA MENON (*Parur*): I am supporting, Sir. As I said, no power should be conferred on the proprietors.

As regards commutation, there has been consistent agitation from the people of the Edavagai that tax in kind must be commuted into tax in money. The Government, when approached, say that they are powerless in the matter. So; I beg to suggest that provision must be made in the Bill to the effect that all enactments relating to the Government land revenue must be applicable to the Edavagais also.

Now, for instance, the Government have accepted twelve and a half per cent. remission for wet lands, but the Chiefs do not show such a concession as Government does. With these few remarks, I support the principle of the Bill.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Sir, a few observations I wish to make upon the principles of this piece of proposed legislation. According to this Bill, its provisions would be applicable to four Edavagais, that is to say, two Edavagais already settled and controlled by a Statute now in existence, and two other Edavagais newly to be brought under the same category. The two Edavagais which have already been settled and to which legislative measures are applicable are the Edapalli Edavagai and the Kilimanur Edavagai. They are now controlled by Regulation IV of 1068. The proposal in this Bill is to repeal that Regulation. After the repeal of that Regulation, what exactly would be the position of those Edavagais is not indicated. Would all the provisions of this Bill apply to those Edavagais is not clear, or, in other words, would there be a re-settlement of those

Edavagais along with the new Edavagais is not specifically dealt with. Under Regulation IV of 1068, certain rights have been acquired by the tenants of Edapalli and Kilimanur and certain facilities have been afforded to the proprietors of those Edavagais. With the repeal of that Regulation, let there be no disturbance in the rights already created. So much with respect to those Edavagais.

With respect to the remaining Edavagais, *viz.*, Vanjipuzha and Poonjar, it is generally conceded by the learned members on the non-official benches that they may be put on the same level as the Statute-ridden Edavagais. That is to say, permanent rights of occupancy may be conferred upon the tenants of those Edavagais and facilities may be offered to the said Edavagais in the matter of collecting what may be due to them under a Regulation similar to Regulation IV of 1068. To that extent this Bill is acceptable and it is desirable according to the learned members that it should be so. For, it confers substantial rights upon the tenancy of these Edavagais. The Chiefs will be deprived of the power of eviction. To that extent it is very good and almost all of us want to go so far.

Then the further question is whether the sacrifice in the shape of the self-denial of eviction on the part of the Chiefs which the Bill provides for should not be counterpoised or counter-balanced by some considerations in their favour, say by an appropriate interaction of other Regulations brought in for the purpose of balancing the advantages and disadvantages. In this Bill we have got the Land Assignment Regulation made applicable on the side of the tenants. For, according to the Land Assignment Regulation and the Rules framed thereunder, Puduval registries may be claimed by persons in possession of Edavagai property. To that extent it is good, since it is something in favour of the tenants. Then, on the side of the Chiefs, two or three Regulations have been brought in. They are the Revenue Recovery Regulation, the Land Conservancy Regulation and the Survey and Boundaries Regulation. As for the Revenue Recovery Regulation there is no objection. But with respect to the appointment of new officers under that Regulation, there is some quarrel. The Bill proposes to make the Chief himself a Dewan Peishkar and his Manager a Tahsildar. The contention, so far as I could gather it, is that, though the learned members are prepared to extend the benefits of the Revenue Recovery Regulation to these Edavagais, yet the agency for the application of that Regulation should be the ordinary official agency, and not any other agency. The matter which calls for interference is a matter which concerns the Chief and his tenants. If the State is to interfere for the purpose of administering a particular Statute on behalf of the Chief or his tenants, as the case may be, naturally the Chief or the tenants or both put together must be prepared to meet the cost. So, if the learned members want a regular official Tahsildar and a regular official Peishkar to carry on the management of these Edavagais, then they should naturally persuade either or both of the parties who would get the benefit of this measure to pay for the services of the agencies to be employed. If the tenants of the Edavagais as well as the Chiefs are prepared to do that

[Mr. P. K. Narayana Pillai.]

I do not find any reason why the State agency cannot be employed. But if, on the other hand, both the tenants and the Chiefs want to save money, what are we to do? The application of the Revenue Recovery Regulation is necessary for the purpose of facilitating the collections with the least possible irksomeness to the parties concerned. Then the only possible way of providing for it would be to empower the Chief and his manager subject to such safeguards as have been pointed out by my friend Mr. Ramasubba Aiyar, by investing them with necessary powers not available over the whole State but only in regard to the relations between the tenants and the proprietor concerned.

Then it was said that it would lead to some sort of unpleasantness to the tenants.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): May I know whether the Government asked either the proprietors or the tenants whether they were willing to pay the cost of appointing a Government agency?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I am sorry I am not in the confidence of Government as some others are, and I am not in a position to answer my learned friend.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Then why does the member say—

DEPUTY PRESIDENT: Such questions should not be asked.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): If you are prepared to listen to the question, you may allow me to answer also.

DEPUTY PRESIDENT: I am not prepared to allow the question nor am I prepared to allow the answer.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Our curiosity has been roused very much to know what the answer will be.

DEPUTY PRESIDENT; That is very wrong, Mr. Krishna Pillai, and I wish that in deference to the House you will withdraw your observation.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, I withdraw.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): So, that is the position. In case both sides want to save the cost, then we come to the question as to who is to put the provisions of the Revenue Recovery Regulation in operation. The present practice, so far as the Edapalli Edavagai is concerned, has already been detailed. The Edapalli Chief employs a Proverthicar for the *pakuthies* under him and he goes on collecting the revenue. When it comes to the question of taking coercive steps, he asks a Tahsildar to sign the warrant for the attachment of immovable property or seizure of moveable property. The Tahsildar signs it as a matter of course and the Proverthicar goes on making the attachment and then sells the properties occasionally bringing the Government of Travancore also into trouble I know of a case where the Edapalli Proverthicar had attached some properties on which certain

claims were raised which being dismissed by the Dewan Peishkar led ultimately to a suit in the District Court of Kottayam. When the question of cost came up, Government said that the Chief should pay as the case was conducted on his behalf and the Chief replied that he would not pay because it was the Government who brought about the litigation. The apprehension is, if the powers of the Tahsildar or the Peishkar are vested in the Chief or his manager, they would make use of them to the detriment of the tenants. Now Sir, I thought a different view would be taken of the position of the Chief and his proposed degradation to the position of a Dewan Peishkar. These Chiefs are the absolute proprietors of their estates being exempt from the payment of land tax to the Government. But for the absence of legislative authority, a point emphasised by the learned Judges of the High Court, they would have been sovereigns of their estates. The present Bill proposes to reduce them to the position of Dewan Peishkars.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then, why not the Chief make his own laws?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I have no objection whatsoever, provided other people would obey such laws.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If they are sovereigns why should we legislate for them?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I said they *would have been* sovereigns. Evidently my friend Mr. Asan is not listening to all the words.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Does the member know how notoriously the Proverthicars abuse their powers to the prejudice of the interests of the tenants?

DEPUTY PRESIDENT: If you omit the word 'notoriously', I would allow the question, because it is a question of opinion as to what is 'notorious' to Mr. Raman Pillai.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Does the member know that the Proverthicars abuse their powers?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Throughout Travancore?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Throughout Edapalli as far as I know.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Sir, I find myself in a difficult position to answer that question. First of all I should understand the extent of Mr. Raman Pillai's knowledge and then estimate the extent to which the Proverthicars misbehave.

DEPUTY PRESIDENT: You need not answer that question. Please proceed with your argument.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): That, I thought, would have been the view taken of the position of the Chief or his manager.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is not the State bound to protect the tenants even when they find themselves unable to

[Mr. Puthupalli S. Krishna Pillai.]

pay rent, just as the State is bound to give the people inhabiting the locality protection under the Police, Abkari and other Regulations?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): The State is bound to protect them.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): If that is so, is it not the duty of Government also to reserve to themselves the right or the privilege of seeing that no injustice is done to a defaulting tax-payer?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Nobody wants to invade the justice, if any, due to a defaulter, whatever that may mean. I am pointing out, Sir, that this Bill reduces the Chief from the position of an absolute proprietor of property to the position of a Dewan Peishkar. But for that, if he wants to realise the rents he must request the Government of Travancore to set the machinery of law in motion. They now say that they are prepared to concede necessary powers to the Chief so that he may recover the dues himself. If that is done, it is anticipated that he would prove oppressive. A presumption will have to be drawn against an innocent person without anything further.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): As experienced men, are we not entitled to believe them?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): As far as my knowledge goes, these Chiefs are gentlemen.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether there may not be a possibility for presumption?

DEPUTY PRESIDENT: That is a remote question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): But a contingency may arise when they may be presumed to be oppressive. I put the question for the sake of discussion.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is not the Proverthicar entitled to go over to Our house and remove the moveables? Is not the Tahsildar entitled to attach and sell our properties?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Under conditions of non-payment of tax, if you give room to such steps.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Suppose on some pretext he comes to our house, attaches or sells our property, what are the safeguards you will offer?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): He may be criminally prosecuted, sued in a court of law, or resisted on ground of private defence; and complaint may be made to his superior officer.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I wish to know from the member whether he has any objection to a law which would authorise any creditor from taking steps against the property of his debtor?

DEPUTY PRESIDENT: That question does not arise.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is the member of the view that the Bill is expropriatory from the standpoint of the proprietor or Chief?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Yes. From the standpoint of the Chief.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is it expropriatory from the standpoint of the tenant?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): No. It cannot be so from the standpoint of both the tenant and the Chief alike.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Have we a right to legislate on Chiefs?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): We have the right.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*), Who gave the right?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): The sovereign authority has the power to legislate for all subjects. We are authorized by the sovereign authority.

The Chiefs are, as I said, now reduced to the position of Peishkars or Tahsildars. If such is their position, they would be subject to the control of the Land Revenue Commissioner and the Dewan. I should say further that they would be subject to all the enquiries open to this House.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Is there any special reason why the provisions of Regulation IV of 1068 with reference to the mode of recovery of rent should be changed with reference to Poonjar and Vanjipuzha? Kilimanur and Edapalli were given powers to the following extent. Section 6 of Regulation I of 1068 reads as follows:—

> "The rents due to these estates shall be treated as public revenue and all arrears shall be recovered by our officers in the same manner prescribed by the Regulation I of 1068, su jeot to such rules as may be prescribed by our Government from time to time."

That is now sought to be changed for the first time.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I see good reason for that. It was a very generous move made by the Government of Travancore that they would appoint their own agency for the purpose of collecting revenue due to Edapalli and Kilimanur. These estates were not entitled to any such accommodation. Probably Government held it to the Edapalli and Kilimanur Chiefs so that they might agree to the expropriation the more readily. For all these long years they were not complaining about the deprivation of their rights.

Why should the Government furnish the agency for these people to collect their dues? Such a system is financially unsound. Now probably a learned Law Member realized the unjustifiable cost since it is a period of economic depression. He now asks the Chiefs to be their own Peishkars with a view to save bother and expense. It is true, Sir, that in the case of Chiefs there is one difficulty and that is this. You can remove the Manager (Tahsildar) on the motion of the (Peishkar) Chief. But it 'is difficult to remove the Chief from the Chiefship though his Peishkarship may be withdrawn. There must be provision

[Mr. P. K. Narayana Pillai.]

for removing the Chief and to appoint another, say the next senior member of the family, in his place. Or the Chief himself may be removed from the post of the Dewan Peishkar by appropriate rules. I am just pointing out the risks which a Chief is courting under the Bill in case of misbehaviour, in that he is exposed to interference by the Dewan and probably by the Land Revenue Commissioner.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): What is the legal position of a Chief?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Considered opinions of British Residents and some previous Dewans of Travancore were produced in a case to show that the Edapalli Chief is the sovereign as regards his estate. If you want historical information on the point, I shall be glad to supply it, provided the Chair would not curtail my time.

MR A. THANU PILLAI (*Trivandrum-Rural*) Is he a sovereign today?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): He is not by virtue of decisions by the High Court. I have said that in so many words.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): What is his position today?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Say he is a big land-holder, the holding being free of the State in taxation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): A point of order. May I know whether these things are relevant to the Bill?

DEPUTY PRESIDENT: The relevancy of a question is for the Chair to decide. The present question is absolutely relevant. Mr. P. K. Narayana Pillai speaks here as a member of the House and not as an expert on the subject.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I do not claim that I possess expert knowledge, but I am conversant with the history of some of these Chiefs.

DEPUTY PRESIDENT: You may give brief statements, Mr. Narayana Pillai. That will be sufficient.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): In addition to what is provided in the Bill by way of checks and safeguards, I may go further and say that in all cases of lawful use of the machinery placed at the disposal of the Chiefs you may arm the tenant with necessary powers of suing the Chief or his Manager as the case may be.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know from the member whether express statutory provision is necessary for that?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): No objection in enacting statutory provisions.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : But should we not make some provision in the Bill as a sufficient caution?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : If we are not prepared for judicial actions, let there be some other course of action. Necessary statutory provisions, it seems to me, may be inserted in the Bill to safeguard the interests of the tenant.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : Why not we pension all the Chiefs?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : They may not be ready for that.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Are these Chiefs efficient administrators?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : That may not admit of an invariable answer.

Prima facie it would look unfamiliar that a new sort of Peishkar or Tahsildar should be brought into existence. Hence the idea that it is disagreeable. If may not after all work so unsmoothly as it may strike us at present,

So far with respect to the Land Revenue Recovery Regulation, its operation and all that. Now my friend Mr. Puthupalli Krishna Pillai by an interpretation of the expressions "holder" and "holding" came to the conclusion that this Bill would not benefit a large section of the persons in possession of the Chief's properties. I am sorry to disagree with him. All that the definition says is that whoever holds property immediately from the Chief will be a holder, that is to say, not mediately, or in other words, without any one else between the Chief and the party in possession. If by court auction or transfer *inter partes*, the rights of the immediate holder would pass on to another, the transferee will be brought into direct contact with the Chief immediately. The apprehension that the rights of persons now in possession of properties by such transfers would be curtailed is unfounded. Then the question has been raised on behalf of persons who have not even a colourable title to hold on to property. It is said there are trespassers who stand to lose. Trespassers are of two kinds; persons who commit trespass in the eye of law on account of invalid titles and those who commit naked trespass without even a colourable right. Take the case of the Poonjar Chief. Litigation is not uncommon with regard to the Poonjar Edavagai properties. Say, a lease executed by the Chief is set aside at the instance of a junior member.

In such a case, where possession had a *bona fide* origin, there is justification to say that a claim to the value of improvements may be taken into account; but in the case of persons disregarding all restraints of law without any regard for other people's right, most triumphantly trespassing upon property by organized attempts and making improvements upon the trespassed property, it is difficult to believe in professions of good faith or find anything like equity to award any value on account of improvements. In this House itself, Mr. Vattaparambil Raman Pillai who was rather eloquent upon the Proverthicars is ready with a Bill to deny value of improvements to trespassers.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Does not the law as it stands in Travancore allow him to—

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I am going to tell you how the law stands. It is no doubt true that a number of rulings in the High Court of Travancore lay down the principle that even trespassers should be awarded value of improvements. There are also observations made by the High Court of Travancore which says that a person who trespasses upon property and makes improvements does so with no object of making a claim to the value of improvements. I have collected some of these cases in an article contributed to the Travancore Law Times and discussed the question there tracing the law from the standpoint of the Hindu and English law, to the extent of my lights.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഹൈക്കോടതിയുടെ ഒബ്സർവേഷൻ തന്നെ ഫൈനൽ വിധിക്ക വ്യത്യാസമായിട്ടില്ലേ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): And I may submit to the House that the position of the Travancore High Court in this respect is very unique and I was very glad that gentlemen like Mr. Raman Pillai are prepared to deal with trespassers as they deserve. So far as the Travancore Government is concerned, by the enactment of the Land Conservancy Regulation in 1090 or so, provision is made for the eviction of trespassers and forfeiture of their improvements. I ask why such a provision should not be made in the case of individuals also.

MR. A. THANU PILLAI (*Trivandrum—Rural*): If a person has got the strength of the High Court decisions?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): He ought to bear in mind all the decisions of the High Court.

I do not find myself in sympathy with a man who trespasses upon another man's property and claims value of improvement adding insult to injury. I know some of these Edavagai proprietors, Sir, on whose properties swarms of trespassers numbering hundreds come to stay quite ready to put up ready-made temporary sheds. Litigation against a large number of trespassers is quite out of the question, commencing from the Munsiff's Court right up to the High Court. In the meanwhile the trespassers may make improvements to thwart recovery of land.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Would not the men who approach to these Chiefs be the jenmies?

MR. P.K. NARAYANA PILLAI (*Ambalapuzha I*): The jenmis resemble the Chiefs to some extent; but there is manifest difference. The claim for improvements made against the will of the owner is a sort of extortion. The Chief also stands in need of protection just as any other individual. If the Land Conservancy Regulation may be made elastic in an appropriate way, it may be executed for the protection of rightful ownership of property, on an extensive scale. Protection of person and property is the cherished aim of all administrations. There may be

necessity for additional provisions to serve as safeguards. What exactly ought to be the shape of safeguards is a question for the Select Committee to consider and for the House to settle. Sir, I find some small provisions also open to further consideration. But I have taken already too much time. I reserve these for the second reading of the measure.

MR. N. GOVINDA MENON (*Co-opted*): Sir, in the light of the discussions we have had here, I wish to add a few words on the merits of the Bill. The principle, in so far as the Bill proposes to give permanent occupancy rights to the tenants, is acceptable to all. As for the corresponding duties which have been imposed upon the tenants, the majority of the members who took part in the discussion deem it too hard for the tenants. Having studied the Bill and having had some experience in these Edavagais, I have to make a submission that the tenants of unsettled Edavagais were suffering very much from time immemorial on account of the disabilities they were under merely on account of their being the tenants of the Edavagais. They had not the primary citizen's right of voting for the Legislative Assembly. They had not the permanent occupancy right. They are liable to be evicted at any time. The unsatisfactory condition of the Edavagais in this respect is seen from the number of criminal and civil cases in courts within whose jurisdiction these Edavagais lie. In more judicial pronouncements than one, the necessity for settling the Edavagais has been expressed by the judiciary who had occasion to try cases from these parts. So the necessity for settling the Edavagais on some sound administrative principle is not questioned. But the objection, with regard to the Bill, lies in the granting of the extraordinary powers to the Chiefs and their agents and the applicability of the Land Conservancy and Revenue Recovery Regulations to these territories.

With regard to the Revenue Recovery Regulation, the practice now followed in the Edapalli and Kilimanur Edavagais has given rise to very serious complaints. The practice there, as many members have pointed out, is to entrust the whole business with a subordinate not quite responsible and not belonging to the higher grades of service, such as the Proverthicars of the Edavagai. The Tahsildars whom the Proverthicars approach for processes are not able to discharge satisfactorily their duty in this respect along with their multifarious other duties. The system thus adopted in the Edapalli and Kilimanur Edavagais is not perfect. According to me the entrustment of these powers should be with superior officers whose duty it is to look into the matters more minutely. The administrative work of the Edavagais must be taken up by some officer who has got his full time at his disposal for the work. Of course, safeguards have to be made.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether the member suggests an Edavaga or Government official who is a full-time officer. Has he to be an Edavagai officer?

MR. N. GOVINDA MENON (*Co-opted*): According to me it does not matter who pays the officer. An officer whose powers are controlled by proper safeguards, and one who is a full-time officer, by whomsoever he is paid, is what I suggest.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I do not mean who pays. By Government officer I mean an officer amenable to control by Government and control of Edavagai, whoever pays him.

MR. N. GOVINDA MENON (*Co-opted*) : As far as this Regulation is concerned—

MR. A. THANU PILLAI (*Trivandrum—Rural*) : The information I wanted was whether, according to the member, the officer should be amenable to control by the Government or by the Chief.

DEPUTY PRESIDENT : You have put a question and he has answered it.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : No; he has not answered it, Sir.

DEPUTY PRESIDENT : Probably he has no answer for that portion of your question. Nobody can compel him to answer.

MR. N. GOVINDA MENON (*Co-opted*) : He must be subject to Government control in respect of matters governed by this Bill, and not in any other respect.

With regard to Section 5, it has not been made clear on what principle the assessment is going to be made. In the case of the Kilimanur and Edapalli Edavagais, assessment was made according to the Revenue Settlement Proclamation of 1061. There cannot be any objection to such a procedure being followed, because the Proclamation has been made applicable to all Travancore and the tenants of the Edavagais also are but Travancoreans. Section 5 of the Bill fixes 25 per cent. of the gross yield as the maximum rent assessable. If the Settlement Proclamation is made applicable to the settlement of Edavagais also, there would be no necessity for fixing any maximum.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): What is the percentage of assessment on wet land, according to the Settlement Proclamation?

MR. N. GOVINDA MENON (*Co-opted*) : I do not know. Whatever it is, my suggestion is that it may be applied to the Edavagais also. There need be no special provision for a maximum such as the one contained in Section 5.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : So far as the member is aware, are there tenants now paying more than one-fourth of the gross yield as rent to the Chief?

MR. N. GOVINDA MENON (*Co-opted*) : No; as far as I know, the rate of assessment in Poonjar is the settlement rate. Therefore, there cannot be any harm in accepting the rates fixed by the Revenue Settlement Proclamation.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I ask whether, according to the member, if the present *venpattom* tenants are given permanency of tenure and are still to pay only the settlement rate—which, according to the member, the tenants are even now paying—it would not be a hardship to the Chief?

MR. N. GOVINDA MENON (*Co-opted*) : In Poonjar, for instance, I know the settlement rate has been accepted.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I ask the member whether, since the Chiefs are now being asked to give permanent occupancy rights to the tenants, their rights will not be prejudiced by their being made to get, under this Bill also, only the present settlement rates unless they are given the right to get some *taravila* or other similar payment from the tenants who are going to get more rights than they now have ?

MR. N. GOVINDA MENON (*Co-opted*): At present, there are various kinds of tenures. My suggestion is that the procedure followed at the last settlement may be followed in regard to these Edavagais also; because, at the time of the settlement which began in 1061, the favourable tenures, as they are called, such as the *Adima* and *Thiruvalam* tenures, were also dealt with along with the general settlement. In regard to this Bill, the favourable tenures may be dealt with in a similar manner, for which provision may be made by the Select Committee.

It was suggested by some of my friends here that there was agitation for this measure only from the Chief and not from the tenants. I may assure the House that there has been persistent agitation from the tenants also, for the last 50 years, for an enactment of some kind. In fact, a similar Bill was published in the Gazette about 8 years ago. Somehow, nothing further was done in regard to it.

MR. K. KUNJUKISHNA PILLAI (*Quilon I*): May I ask whether it was not rejected by the Legislative Council?

MR. N. GOVINDA MENON (*Co-opted*): No; as I said, it was published in the Gazette, and for reasons not know to me, was not introduced in the Council at all.

Then, with regard to Section 10, I would like to point out that the application of the provisions of the Land Conservancy Regulation to Edavagai lands also is fraught with serious consequences. There may not be any hardship if the tenants also are given the right to get registered in their favour all lands in their occupation. Then it becomes the duty of the tenants to see that the lands in their possession are registered in their favour ; if they are not willing to take such registry, they must suffer for it. It is certainly very hard to make the provisions of the Land Conservancy Regulation as it is applicable to them. Section 10 must therefore be suitably modified with sufficient safeguards to protect the interests of the tenants.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Is it the member's opinion that the tenant in possession must be entitled to get the land registered in his name?

MR. N. GOVINDA MENON (*Co-opted*): Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : What is the remedy that the member would suggest to safeguard the interests of the occupant ?

MR. N. GOVINDA MENON (*Co-opted*) : Provision has to be made in this Bill giving the right to get the land in his possession registered in his name to the tenant.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Do I understand the member to say that, for that purpose, the present provision in the Bill is inadequate and that further provision has to be made?

MR. N. GOVINDA MENON (*Co-opted*): Yes, certainly. The Bill may be sent to a Select Committee for detailed consideration and suitable amendments.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I move for a closure, Sir.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I see from the various speeches that the general principle of the Bill has received the acceptance of the House, but that criticisms have been levelled against some details. All those details may be considered by the Select Committee.

MR. M. SIVATANU PILLAI (*Tovala*): What does the member mean by "*general principle*" of the Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not think I need take up the time of the House to explain that; the speeches show it.

The question that the general principle of the Bill be accepted by the Assembly was then put to vote and carried.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the Bill be referred to a Select Committee consisting of the following gentlemen:

	The Deputy President	A. Thanu Pillai.
Messrs.	P. K. Narayana Pillai.	P. K. Thomas.
	T. P. Ramasubba Aiyar,	K. C. Abraham.
	T. P. Velayudhan Pillai,	P. G. Rama Varma Raja.
	K. C. Karunakaran,	N. Govinda Menon,
	T. K. Alexander,	Dr. N. Kunjan Pillai; and
	the mover.	

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I would suggest the name of Mr. K. P. Krishna Menon also; he is a tenant under a Chief.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have no objection. The Committee is to report within 4 months.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I oppose the personnel of the Select Committee, Sir. There is an over-weightage of the Chiefs' interests in it. Mr. Thanu Pillai will be single, handed in the Committee.

DEPUTY PRESIDENT: I object to that statement, Mr. Kunjukrishna Pillai; I can very well understand your proposing some more names or opposing the names already proposed. You will probably be well advised to withdraw that statement, Mr. Kunjukrishna Pillai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): That is my opinion, Sir.

DEPUTY PRESIDENT: But such opinion shall not be expressed.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Merely for the sake of the suggestion from the Chair, I am prepared to withdraw the statement Sir; but, I am convinced that I am not wrong.

DEPUTY PRESIDENT : Yes, I understand the spirit of your statement. In the light of that explanation, the matter may drop.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : If the House is so minded, I am prepared to withdraw in view of the observation made by my friend Mr. Kunjukrishna Pillai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, I never made any reference to him.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I submit that the House has every right to indent on the services of Mr. P. K. Narayana Pillai.

DEPUTY PRESIDENT : Gentlemen, I think it is due to the House that I should say that, when the name of any member is proposed for a Committee, it is understood, by the proposer, the seconder and every member of the House, that the best will be done in the interests of all parties concerned and that there will be absolute fairness (*Hear hear*).

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I propose the names of Mr. S. Krishna Pillai, Mr. A. S. Damodaran Asan, Mr. Changanachery K. Paramesvaran Pillai and Mr. S. Nilakanta Pillai also.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) I propose the names of Mr. K. Sankaran, Mr. K. Mahomed and Mr. Ramakrishna Panickar also.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : You may put these motions to vote, one by one, Sir ; because the Committee cannot be so large.

MR. M. SIVATANU PILLAI (*Tovala*) : I propose the names of Messrs Sambasiva Aiyar, Karayalar, A Narayana Pillai and K. A. Narayana Pillai also.

DEPUTY PRESIDENT : Does the mover accept all these names?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : No.

DEPUTY PRESIDENT : What is the procedure in such a case, Mr. Kayalam Paramesvaran Pillai ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Each member's motion may be put to vote.

DEPUTY PRESIDENT : Who seconds Mr. Kunjukrishna Pillai's motion ?

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*) : I second his motion, Sir.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : I propose the name of Mr. N. K. Krishna Pillai in addition to the names proposed already.

DEPUTY PRESIDENT : There is next the motion of Mr. E. V. Krishna Pillai. Who seconds it ?

MR. K. C. ABRAHAM (*Kottayam II*) : I second it.

MR. M. SIVATANU PILLAI (*Tovala*) : I propose Messrs. Sambasiva Aiyar, A. Narayana Pillai, K. A. Narayana Pillai and Karayalar.

MR. R. SIVASUBRAHMANYA NADAR (*Agastisvaram*) : I second it.

MR. K. R. ELENKATH (*Kalkulam I*): I propose the name of Mr. R. Raman Pillai.

DEPUTY PRESIDENT: Is there anybody to second it?

The motion is not seconded and so it falls through.

Before putting these motions to the vote of the House, I am entitled—I must say that it is my duty—to bring to the notice of the House that a very large number of members in Select Committees is likely to prejudice proper discussion. That is the idea of Mr. Kayalam Paramesvaran Pillai when he raised objection to the various proposals. Which names are to be included or which names are to be omitted is not a matter for me. I will now proceed to put the motions in order to the vote of the House.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): Will it not be possible for the Law member to select from each of these groups?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): I would suggest, Sir, that instead of allowing all these motions to be put to vote, the Law Member will again consider this matter and make a proper selection and report to the House tomorrow.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I may say, Sir, that I have considered the matter and I think I have put in representatives of all the interests. That is why the number of members in the Select Committee has come up to 12. I have thought over the matter and proposed the names.

MR. M. SIVATANU PILLAI (*Tovala*): May I know from the member how it is that there is no member from the non-party members on the Committee?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I thought Mr. Govinda Menon might be taken as a non-party member.

DEPUTY PRESIDENT: I wish the House will express itself on this point. There are four motions practically. One is the substantive motion of the Law Member.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): May I request the Law Member to consider the suggestion once again? For he said he was under the impression that Mr. Govinda Menon was a non-party member and he must have been under a *bona fide* mistake when he proposed these names.

DEPUTY PRESIDENT: I really fail to understand the significance of a non-party member", Will any one please explain?

MR. M. SIVATANU PILLAI (*Tovala*): Non-party members are members who do not take their position with one party or another, because we understand that there are two parties. One is the Liberal-party and the other is the National party.

DEPUTY PRESIDENT: Parties in this House?

MR. M. SIVATANU PILLAI (*Tovala*): Yes

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Does the member mean the Chief's party and the tenant's party?

MR. M. SIVATANU PILLAI (*Tovala*): No, Sir. When I talk of the Liberal and National parties I certainly mean the Liberal and National parties and not the tenants' and the Chief's.

DEPUTY PRESIDENT: When Mr. Govinda Menon's name was referred to, what is the significance of it, that is what I ask. It does not mean tenant's man or Chief's man?

MR. M. SIVATANU PILLAI (*Tovala*): In view of this, I am prepared to withdraw my motion.

The motion of Mr. M. Sivatanu Pillai was, by leave of the House, withdrawn.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): I have to make a statement now. As the mention of two parties has been made before this House, I desire to state that some of us have formed ourselves into a party and we have informed about that also to the Assembly Secretary so that we also may be given a separate block.

DEPUTY PRESIDENT: That may be considered in proper time.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Please let me finish my statement. Though several motions have been placed before the House, and though my name also has been proposed by some members, I am not anxious to serve on the Committee. But I have to bring to the notice of the House that my party which, I might say, is called the Independent party, may also be represented in this Committee and in other Committees which might hereafter be formed.

DEPUTY PRESIDENT: Whether the members of this House organise themselves into parties is certainly an important matter. But in regard to the appointment of members to the Select Committee on a Bill, emphasis need not be laid on that word. That is my view and I think in the discussion of this question and in nominating various members to serve in the Select Committees, the considerations of the various political parties in the House have not been kept prominently in view by the Law Member. At any rate, I did not hear from the Law Member a statement that the representation of the various parties has been considered specially. Mr. Sivatanu Pillai's motion has been withdrawn and there are two others, Mr. Kunjukrishna Pillai's and Mr. E. V. Krishna Pillai's.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Sir, I also withdraw my motion.

The motion was, by leave of the House, withdrawn.

DEPUTY PRESIDENT: The motion of Mr. Kunjukrishna Pillai proposes the addition of the following names to the list of the Law Member, *viz.*, Messrs. Puthupalli Krishna Pillai, Changanachery Paramesvaran Plllai, Damodaran Asan and S. Nilakanta Pillai.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): My name may be omitted and the other names may go in.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am willing to agree to that.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): I also agree.

DEPUTY PRESIDENT: Mr. Changanachery Paramesvaran Pillai's name, by consent of the mover and the seconder, has been omitted.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): With your permission, Sir, I would like to make one change in my motion. In addition to Mr. Karunakaran I would put in Mr. Sankaran also.

DEPUTY PRESIDENT: There are now two motions before the House, the substantive motion of the Government member and the proposal of Mr. Kunjukrishna Pillai, I will put Mr. Kunjukrishna Pillai's motion to vote.

The motion was put to vote and declared lost, 15 voting *for* and 29 *against*.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

A poll was taken with the following result.

AYES—16.

1	Mr.	P. Chidambaram Pillai.	9	Mr.	G. Nilakantan
2	,,	A. S. Damodaran Asan.	10	,,	S. Nilakanta Pillai
3	,,	N. Govinda Menon.	11	,,	Kainikkara M. Padmanabha Pillai.
4	,,	Pottayil S. Krishna Panickar	12	,,	Edavanatt S. Padmanabha Menon.
5	,,	Puthupalli S. Krishna Pillai.	13	,,	Changanachery K. Paramesvaran Pillai.
6	,,	K. Kunjukrishna Pillai.	14	,,	R. Raman Pillai.
7	,,	K. Mahomed	15	,,	A. Thanu Pillai.
8	,,	M. N. Nair.	16	,,	T. P. Velayudhan Pillai.

NOES—29.

1	Mr.	N. Abdur Rahiman Sahib	16	Mr.	E. K. Kunjuraman
2	,,	K. C. Abraham.	17	,,	K. M. Kuriakose
3	,,	T. K. Alexander	18	,,	K. Madhavan.
4	,,	V. T. Chacko	19	,,	B. Narayana Pillai
5	,,	C. V. Chandrasekharan	20	,,	R. Nilakanta Pillai
6	,,	K. George	21	,,	N. K. Padmanabha Pillai.
7	,,	S. J. Nair	22	,,	Kayalam Paramesvaran Pillai.
8	,,	L. H. Jacob			
9	,,	N. John Joseph	23	,,	V. Ramakrishna Panickar.
10	,,	T. C. Joseph	24	,,	T. P. Ramasubba Aiyar
11	,,	K. C. Karunakaran	25	,,	P. G. Rama Varma Raja.
12	,,	T. T. Kesavan Sastri	26	,,	K. Sankaran
13	,,	K. P. Krishna Menon	27	,,	R. M. Satham.
14	,,	E. V. Krishna Pillai	28	,,	P. K. Thomas
15	Rao Sahib	Dr. N. Kunjan Pillai	29	,,	T. C. Thommen

NEUTRALS 19.

1	Mr. S. Chattanatha Karayalar	9	,, N. K. Krishna Pillai
2	,, A. Easwara Pillai (*Kalkulam*)	10	,, C. V. Kunjuraman
		11	,, M. K. Madhavan Pillai.
3.	A. Easwara Pillai (Kottarakara)	12	,, K. A. Narayana Pillai.
		13	,, Pacode A. Narayana Pillai.
4	,, Antony. George	14	,, P. K. Narayana Pillai.
5	,, M. Mahomed Haneef	15	,, K. Padmanabhan.
6	,, M. K. Janardana Kamath	16	,, R. Sambasiva Aiyar.
7	,, T. S. Jayantan Nambootiri	17	,, R. Sivasubramanya Nadar.
		18	,, M. Sivatanu Pillai.
8	,, K. M. Krishnan	19	,, N. E. Varughese

The motion was declared lost.

The Additional Head Sirkar Vakil's motion was then put to vote and declared carried.

DEPUTY PRESIDENT: With regard to the point raised by Mr. E. V. Krishna Pillai as to the power of appointing the Presidents of Select Committees on Bills, I have looked into the rules. As it is, my considered view is that the final authority to interpret the provisions of the Regulation and the Rules framed thereunder rests with the Dewan President. That being the case, I do not propose to do anything more than try to get the Dewan's opinion on this point.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the rulings given here are tentative?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I want the member to withdraw this statement.

DEPUTY PRESIDENT: I am really surprised at the suggestion made by Mr. Asan. We are discharging here public business in the best spirit of comradeship (Mr. Ramasubba Aiyar: *Hear, hear*) and I have never heard of tentative rulings (Mr. Sivatanu Pillai: *Hear, hear*). If I did want to think of tentative rulings, I would have thought of them and expressed them in very clear language.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I would request you, Sir, for the sake of the prestige of the Chair, to ask Mr. Asan to withdraw his statement.

DEPUTY PRESIDENT: I do not think Mr. Asan meant it seriously. Did you mean it seriously, Mr. Asan?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes, Sir, because the interpretation of the rules rests with the Dewan and these rulings are given in accordance with that interpretation.

DEPUTY PRESIDENT: It was only an honest doubt that you felt, Mr. Asan?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Surely.

DEPUTY PRESIDENT: And you should be sorry if it is misunderstood?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If anybody is going to misunderstand me, I would be sorry for him. (*Laughter.*)

DEPUTY PRESIDENT: Does the House agree to sit for some time more so that Mr. Kayalam Paramesvaran Pillai might introduce the other Bills?

The House agreed.

THE COURT OF WARDS BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Court of Wards Bill. It has been published with a statement of objects and reasons in the Government Gazette, and I move that it be read in Assembly.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vaki*): Sir, the object of the Bill is to provide for the protection of the person and property of incapacitated persons such as minors and persons of unsound mind. A State agency called the 'Court of Wards' is proposed for the proper management of the property of the ward and for looking after his person. The Court will consist of a President and two other members. The Bill has been drawn on the lines of the Madras Court of Wards Act and the Cochin Court of Wards Regulation. I trust that the House will accept the principles.

DEPUTY PRESIDENT: Does the House accept the principles of the Bill?

The House accepted the principles of the Bill.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move that the Bill be referred to a Select Committee consisting of

1. The Deputy President.
2. Messrs. R. Sambasiva Iyer.
3. ,, Edavanatt S. Padmanabha Menon.
4. ,, K. Sankaran.
5. ,, E. V. Krishna Pillai.
6. ,, Antony George.
7. Messrs. S. Chattanatha Karayalar.
8. ,, M. Mahomed Haneef.
9. ,, A. Easwara Pillai (Kalkulam).
10. ,, S. Nilakanta Pillai.

DEPUTY PRESIDENT: Does the House agree?

The House agreed.

DEPUTY PRESIDENT: The motion is carried. The Committee will submit its Report within four months.

THE TRAVANCORE IMPORTATION OF LIVE STOCK BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Travancore Importation of Live Stock Bill which has been published in the Gazette with a statement of objects and reasons. I move the Bill be read in Assembly.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Bill is intended to prohibit the importation of diseased cattle into the State. I trust the House accepts the general principles.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): In supporting my friend I would only point out one aspect of the matter. The Bill, as at present framed, deals only with importation of live stock. They come to the State by trespass also. In such cases also, provision must be made in the Bill so that trespass of stray animals may also be brought under law.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Does the member refer to cases where somebody harbours a cow or a horse which is prohibited to be brought into the State?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): This measure may be useful.

DEPUTY PRESIDENT: Does the House agree to the principles being accepted?

The House accepted the principles of the Bill.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move that the Bill be referred to a Select Committee consisting of the following gentlemen:

1. The Deputy President.
2. Messrs. P. Chidambaram Pillai.
3. ,, K. P Krishna Menon.
4. ,, N. John Joseph.
5. ,, Pottayil S. Krishna Panickar.
6. Messrs. V. Ramakrishna Panickar.
7. ,, K. Padmanabhan.
8. ,, K. R. Elenkath.
9. ,, N. E. Varughese.

DEPUTY PRESIDENT: Does the House agree?

The House agreed.

DEPUTY PRESIDENT: The motion is carried. The Committee will report in four months.

THE TRAVANCORE LUNACY BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Travancore Lunacy Bill which has been published with a statement of objects and reasons in the Government Gazette, and I move that the Bill be read in Assembly.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The principle of the Bill is this. As far as criminal lunatics are concerned, there is provision in the Criminal Procedure Code. Other classes of lunatics such as those who wander about the streets or are poor and uncared for and are cruelly treated do not come under that law. This Bill is drawn on the lines of the British Indian Lunacy Act to protect all classes of lunatics.

MR. M. SIVATANU PILLAI (*Tovala*): I whole-heartedly support it.

DEPUTY PRESIDENT: No opposition to the principles of the Bill?

The House accepted the principles of the Bill.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the Bill be referred to a Select Committee consisting of the following gentlemen:

1. The Deputy President.
2. Messrs. Changanachery K. Paramesvaran Pillai.
3. „ T. Krishna Pillai.
4. „ K. Madhavan.
5. „ K. Mahomed.
6. Messrs. R. Raman Pillai.
7. „ E. V. Krishna Pllia1.
8. „ K. M. Krishnani.
9. „ P. K. Narayana Pillai.
10. „ M. K. Janardana Kamath.

I would withdrawn the name of Mr. Changanachery Paramesvaran Pillai, as he wishes to be excused.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I would suggest Mr. N. Abdur Rahiman Sahib in place of Mr. Changanachery K. Paramesvaran Pillai, as he wishes to be excused.

The House agreed.

DEPUTY PRESIDENT: The Committee will report in four months.

THE TRAVANCORE COMPANIES REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Travancore Companies Regulation Amendment Bill which has been published with a statement of objects and reasons in the Gazette. I move that the Bill be read in the Assembly.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I trust that the general principle is accepted.

DEPUTY PRESIDENT: No opposition?

There was no opposition and the motion was carried.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the Bill be referred to a Select Committee consisting of :—

1. The Deputy President.	6. Messrs. T. S. Jayantan Nambootiri.
2. Messrs. A. S. Damodaran Asan.	7. ,, C. V. Kunjuraman.
3. ,, K. C. Karunakaran.	8. ,, K. George.
4. ,, K. Kunjukrishna Pillai.	9. ,, A. Easwara Pillai (Kottarakara).
5. ,, T. P. Velayudhan Pillai.	

DEPUTY PRESIDENT : I take it that the House agrees. The Committee will report in four months.

THE TRAVANCORE MARKETS REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I rise to introduce the Travancore Markets Regulation Amendment Bill. It has been published in the Gazette with a Statement of objects and reasons. I beg to move that the Bill be read in Assembly.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Bill is very simple and intended to bring certain amendments in the existing Regulation. I trust the general principle will be accepted.

The motion was carried.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I beg the Bill be referred to a Select Committee consisting of :—

1. The Deputy President.	4. Messrs. M. Sivatanu Pillai.
2. Messrs. N. K. Krishna Pillai.	5. ,, E. K. Kunjuraman.
3. ,, K. Sankaran.	6. ,, T. Krishna Pillai.

DEPUTY PRESIDENT : The motion is carried.

The Committee will submit its report in four months.

The House will now adjourn and meet at 11 A. M. tomorrow.

The House rose at 4-45 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS

of

THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT.*)

FIRST ASSEMBLY.

SECOND SESSION.

Tuesday, the 21st November 1933/6th Vrichikam 1109.

The Assembly re-assembled in the Victoria Jubilee Town Hall at Eleven of the clock, the Deputy President presiding.

QUESTIONS AND ANSWERS.

Pension allowances to retired officers.

58. *MR. G. NILAKANTAN (*Nominated*): Will the Government be pleased to state the amount distributed as pension allowance for the past 3 years among the retired officials of the State?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The amount distributed as superannuation and retired allowances for the last three years is as below :—

Year.	Rs.
1106	10,51,305
1107	11,00,550
1108	11,93,478

Warden of Games.

59. *MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Will the Government be pleased to state whether, since the last Budget session of the Assembly and the Council, a Warden of Games has been appointed in the Forest Department, and, if so, the person so appointed and when he was appointed?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Mr. S. C. H. Robinson has been appointed as Warden of Games, from 1st Vrischikam 1109.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether, in the light of the criticisms offered by both Houses of the Legislature, Government reconsidered the question of making such an appointment?

G. P. T. 999. 350.

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Government reconsidered the question and found it necessary to appoint a Game Warden.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : May I know whether, subsequent to the last meeting of the Legislature, Government ascertained the views of the Conservator of Forests about the urgency of the appointment ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Even before that, the matter was under correspondence.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : Is that subsequent to the last meeting ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : May I know the number of applicants for this post ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : There were no applications.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether Mr. Robinson was an applicant for the post ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No.

MR. N. K KRISHNA PILLAI (*Neyyattinkara I*) : Did Government advertise for applicants for this post ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No.

MR. K. P. KRISHNA MENON (*Parur*) : May I know from the member whether such appointments are created for pensioned officers ?

DEPUTY PRESIDENT : That does not arise.

MR. K. P. KRISHNA MENON (*Parur*) : May I know whether Mr. Robinson is a retired officer of the State ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Yes.

MR. K. P. KRISHNA MENON (*Parur*) : May I know whether there are no young men available in the Forest Department who can be appointed as Game Warden ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No, the Government are not aware.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : May I know whether Mr. Robinson has any special qualifications for holding this appointment ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Government think that he has all the necessary qualifications.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) ; May I know what is the salary of the officer ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Rs. 400.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) ; May I know whether there is any staff for this officer ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : He is allowed a small staff.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : What is the additional expenditure to be incurred on account of the staff for the Warden of Games?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : That is provided in the Budget. The officer is paid Rs. 400.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : May I know what is the expenditure per annum towards the staff?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : It is not worked out separately.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether Mr. Robinson is an officer under the service of Government?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether Government accept the principle of appointing, for new jobs, pensioned officers of the State?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No such principle is accepted.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether Government have any objection to appoint retired officers of the State when vacancies arise in other departments also?

DEPUTY PRESIDENT : You cannot ask that question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, I wish to know whether Mr. Robinson was appointed when a vacancy arose?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : There was a vacancy at the time of the appointment of Warden of Games.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : So am I to understand that a new post was created and Mr. Robinson was appointed?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Am I to take it that, before Mr. Robinson was appointed, there was a vacancy?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : One post was created and so an officer became necessary.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : So am I to infer that, when the necessity to fill up a place arose, however short the time be, the necessity for a person also arose?

DEPUTY PRESIDENT : That is a matter of inference.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : The point is this. I was wondering whether it was such a simultaneous thing. Is it when the vacancy arose that the post was filled up at once?

DEPUTY PRESIDENT : The question, again, is a little argumentative.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I shall take away the argument, Sir. May I know, which was prior, the vacancy or the appointment?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): There was first the creation of the appointment and then the appointment was effected.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, is it a fact that a retired officer who gets a pension has been appointed to the vacancy?

DEPUTY PRESIDENT: That has been answered.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): For a vacancy under Government service, is it usual to appoint a retired officer?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): In this particular case, a retired officer was appointed.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government have any objection to appoint retired officers when vacancies arise in other departments?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): When such cases arise, the matter will be considered.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know when this idea of a Game Warden was entertained by Government for the first time?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Last year.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know under what department this officer is?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Forest Department.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Was there a proposal from the Conservator for the creation of such a post?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know when was his proposal made?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Last year.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): So, was simultaneous with the retirement of Mr. Robinson that the proposal the appointment of Game Warden emanated from the Conservator?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Even befo that, correspondence was going on.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): How ma months before?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The exa information is not available.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the pe son appointed is in any way acquainted with game?

DEPUTY PRESIDENT: There is difference between 'game' and 'games'. I wish to know what the member wants. Is it about 'game' or 'games'.

MR. M. SIVATANU PILLAI (*Tovala*): Only about the singular, Sir. May I know whether the Warden of Games is acquainted with a big game or small game?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Government think that the person appointed is acquainted with both.

MR. M. SIVATANU PILLAI (*Tovala*): In which way, either in killing or protecting?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Both ways.

MR. M. SIVATANU PILLAI (*Tovala*): So, may I take it that the Warden of Games is also expected to kill games?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): When it is necessary to kill, he may do so.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): May I know, in connection with the appointment of Warden of Games, whether the Government of India and the Madras Government have addressed this Government on the necessity for making such an appointment?

DEPUTY PRESIDENT: That question need not be answered.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): മി. റാബിൻസനെ നിയമിക്കണമെന്നു കൺസർവേറ്റർ ശുപാർശ ചെയ്തിട്ടുണ്ടായിരുന്നോ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): ഇല്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is Mr. Robinson entitled to the rights and privileges of officers under the T. S. R.?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will he be given a pension?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): He is already in receipt of pension.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): When he retires from this present office, will he be given a pension?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): That is governed by T. S. R.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): That is what I want to know. May I ask whether the officer is not entitled to get a pension when he retires?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the present Warden get a pension?

DEPUTY PRESIDENT: All those are very remote questions when we take into consideration the main question. I think the matter has been sufficiently discussed.

MR. M. N. NAIR (*Kottayam I*): So, am I to understand that no more questions could be asked. Is that the ruling?

DEPUTY PRESIDENT: You did not get up before I got up.

MR. M. N. NAIR (*Kottayam I*): I rose even before Mr. Asan stood up. But he put his questions. Now after his turn, I want to ask questions.

DEPUTY PRESIDENT: I have already ruled that the matter has been sufficiently discussed.

Pallivasal Hydro-Electric Scheme.

60. ***MR. K. R. ELENKATH** (*Kalkulam I*): Will the Government be pleased to state:

(*a*) what are the highest and lowest rates of tender per running foot for tunnel work in connection with the Pallivasal Hydro-Electric Scheme quoted by contractors;

(*b*) what the loss to Government will be for the whole work if the highest rate is accepted on a calculation with the lowest rate; and

(*c*) whether the Government have accepted any tender?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) The highest rate of tender per running foot for tunnel work in connection with the Pallivasal Hydro-Electric Project quoted by contractors was Rs. 175, and the lowest was Rs. 64.

(*b*) The loss to Government for the whole work if the highest rate is accepted instead of the lowest, will be Rs. 10,32,300.

(*c*) Government have accepted the tender of Messrs. Moylan & Co., Bombay at the rate of Rs. 110 per running foot.

MR. K. R. ELENKATH (*Kalkulam I*): May I know, what are the circumstances that forced Government not to accept the lowest tender?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Government considered all the tenders and selected the best.

MR. K. R. ELENKATH (*Kalkulam I*): Does the Government know which particular contractor was more experienced in the works?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. K. R. ELENKATH (*Kalkulam I*): Has the Government any dealings now with the contractor whose name is mentioned?

MR. T. C. THOMMEN (*Ag. Secretary to Government*); No.

MR. K. R. ELENKATH (*Kalkulam I*): Then, may I know how this contractor was selected?

DEPUTY PRESIDENT: I disallow that.

MR. K. R. ELENKATH (*Kalkulam I*): I have to clear one doubt. Government say that they have no knowledge of the man hitherto and at the same time his tender was accepted. May I know how Government came to know that he has experience in tunnel work?

DEPUTY PRESIDENT: I disallow this too. You can make the inference. No more questions on that point please.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : Is it not a fact that Government invariably accept the lowest tenders in such matters?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Yes.

Recognised Vernacular Schools not aided.

61. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*) : Will the Government be pleased to state :

(*a*) the number of recognised Vernacular Schools and the number of new classes in Vernacular Schools that were opened from Edavom 1106 up to now (17-2-1109) to which grant-in-aid is not given ; and

(*b*) the number of teachers that are employed in such classes?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) 124 new schools and 359 new classes, including class divisions.

(*b*) 587.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I konw whether the department is satisfied that the 587 teachers are getting their pay regularly from the managements?

MR. R. M. STATHAM (*Director of Public Instruction*) : Not more satisfied than they are in the case of all teachers in aided schools.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Without going into comparison, may I know how far they were satisfied with regard to the payment of these teachers by managements?

MR. R. M. STATHAM (*Director of Public Instruction*) : Not more satisfied than they are in the case of all teachers in aided schools.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I do not want any comparison to be made. I want to know whether the department has enquired whether the 587 teachers are getting their pay regularly?

DEPUTY PRESIDENT : Mr. Asan's question was 'How far'. That implies comparison. So the Director of Public Instruction is right in making a comparison.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether the department thought that the managers have contributed the grant amount also to the payment of teachers?

MR. R. M. STATHAM (*Director of Public Instruction*) : No, they do not think so.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Then, may I know from where the department thought that the teachers were paid by the managements? In other words, may I know the source from which the managements were expected to pay these teachers?

MR. R. M. STATHAM (*Director of Public Instruction*) : From their private resources.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether the department is satisfied that the 124 schools which were newly started had sufficient resources to pay the teachers out of their funds?

MR. R. M. STATHAM (*Director of Public Instruction*) : It is presumed that they have enough resources to adequately pay their teachers. Recognition is given after the Inspector is satisfied with the details connected with the school and its management.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I want definite information on a point of fact.

DEPUTY PRESIDENT : When the member puts a question, it is but proper for the official member to use such words as sufficiently answer the purpose. Unless they are irrelevant, that can go in.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Sir, I wish to elicit further information on a point of fact. But the official member presumes that inferences can be drawn from his answer.

DEPUTY PRESIDENT ; You must leave the member to his own resources.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know the data from which these presumptions were drawn ?

MR. R. M. STATHAM (*Director of Public Instruction*) : There is no special date. When the recognition is given to a particular school that means that the Inspector is satisfied that the management has enough funds to meet the needs of the school.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know, what is the extent of fund that has to be shown before granting recognition to a primary school ?

MR. R. M. STATHAM (*Director of Public Instruction*) : No specific sum of money is specified under the rules.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Then, how was this presumption drawn by the Director, that they are in possession of funds ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Because they have come forward to open a school and they have been given recognition by the authority concerned.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala I*) : May I know whether any investigation was made with regard to the capability of financing the institutions before recognition was given?

MR. R. M. STATHAM (*Director of Public Instruction*) : Am I to answer the question, Sir?

DEPUTY PRESIDENT : The official member has stated that from the fact of recognition having been granted it is presumed that some investigation has been made. And in the light of my ruling no more question need be asked.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know why grant-in-aid is not given to these institutions ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Want of funds. Moreover all these schools were warned that no grant-in-aid could be guaranteed.

MR. K. C. ABRAHAM (*Kottayam II*) : May I know whether the department has received any complaint from any teacher in an aided school that he has been irregularly paid or paid not at all ?

MR. R. M. STATHAM (*Director of Public Instruction*): The answer yes.,

Acting Women teachers belonging to the Paraya Community.

62. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state the names of Paraya girls who have passed the V. S. L. C. Examination and have acted as teachers in the departmental girls' schools in the State with the dates on which they passed the examination, the dates on which they were first given appointments and the total length of their acting service?

MR. R. M. STATHAM (*Director of Public Instruction*): The information asked for is given below:—

Name of the teacher	... Kochidicali
Qualification with the year of passing	... V. S. L. C. of 1096
Date of 1st appointment	.. 10-11-1104
Total acting service	... 11 months and 26 days.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What was the date on which the applicant served the department last?

MR. R. M. STATHAM (*Director of Public Instruction*): I want notice.

MR A. S. DAMODARAN ASAN (*Mavelikara*): May I know why that applicant was not provided in the department till now?

MR. R. M. STATHAM (*Director of Public Instruction*): I want notice.

DEPUTY PRESIDENT: You could have raised that point even in the original question.

Acquisition of land for Kanjirapally English School.

63. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether steps are being taken for acquiring lands for putting up buildings etc. for the raising of the Kanjirapalli English School into a complete High School;

(*b*) if the answer to part (*a*) is in the affirmative, the reason for taking such steps when the report of the Education Reforms Committee recommending the abolition, transformation and handing over to aided agency of Departmental Schools, is under the consideration of the Government?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) The school has already been raised to a High School and additional lands and buildings are therefore urgently necessary. The Educational Reforms Committee has not recommended either the immediate or the wholesale transfer of departmental schools to aided agency.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is it contemplated that there must be a gradual handing over of the departmental schools to private agencies?

MR. R. M. STATHAM (*Director of Public Instruction*): To what is the member referring? Is it the intention of Government or the Committee's intention that the member wants to know?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): About the Education Committee's recommendation.

MR. R. M. STATHAM (*Director of Public Instruction*): I do not think I need explain that to members.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then, may I know why the member has referred to that?

MR. R. M STATHAM (*Director of Public Instruction*): Because the member has referred to that in his question, so I have. (*Laughter.*)

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I wish to know whether gradual handing over of departmental schools has been recommended by the Education Committee?

MR R. M. STATHAM (*Director of Public Instruction*): Under certain conditions, yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether there is any special reason to think that this will not be one of the schools which has to be handed over to the aided agency in the near future?

MR. R. M STATHAM (*Director of Public Instruction*): Action in such directions will be taken by Government only after mature consideration.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): So without considering the Committee's recommendations, Government allowed some investments to be made in the matter of the Kanjirapally English School?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What was the reason for that?

MR. R. M. STATHAM (*Director of Public Instruction*): Because Government considered that a High School is necessary there.

MR. R. RAMAN PILLAI (*Changanachery cum Peermade II*): May I know whether any private agency came forward to take over the school for management?

MR. R. M. STATHAM (*Director of Public Instruction*): I am not aware.

Government Officers and Co-operative Societies.

64. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether Government servants are prohibited from holding offices in the Co-operative Societies in the State:

(*b*) if the answer to part (*a*) is in the affirmative, the date on which such prohibition order was passed and the reason for passing such an order;

(c) whether it is a fact that such order disabling the teachers and the subordinates in other departments from taking part in the Co-operative work in the State detrimentally affects the co-operative movement in the state;

(d) if the answer to part (a) is in the affirmative, whether instances of the unsatisfactory and inefficient discharge of official duties by officers taking part in the co-operative work on account of such activities of those officers have been brought to the notice of the Government; and

(e) if the answer to part (d) is in the affirmative, whether they could cite such instances?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (a) No.

(b), (c), (d) and (e). These questions do not arise in view of answer to (a).

MR. A. S. DAMODARAN ASAN (*Mavelikara*): My question is whether Government servants are prohibited from holding offices in the Co-operative Societies and the answer given, is 'no'. Am I to understand from the member that no orders have been issued prohibiting Government servants from holding appointments in the Co-operative Societies?

DEPUTY PRESIDENT: That does not arise.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether a departmental order has been issued prohibiting Government servants from holding appointments?

DEPUTY PRESIDENT: That may be a departmental order or Government order. Any way, answer to this generic question is 'no'. Therefore, no further questions arise.

Building for the Stationary Magistrate's Court at Nedumangad.

65. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(a) whether they are aware that there is no accommodation for the Stationary Magistrate at Nedumangad to hold the Court;

(b) whether the construction of a new building for the court house has not been sanctioned;

(c) if the answer to part (b) is in the affirmative, why the construction of the building is not carried out; and

(d) if the answer to part (b) is in the negative, why the construction of a new building to locate the Stationary Magistrate's Court at Nedumangad is not sanctioned as yet?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (a) The Stationary Magistrate's Court, Nedumangad, is at present held in a portion of the Taluk Office buildings. Government are aware that the present accommodation is inadequate.

(b) The question of providing adequate accommodation for the court by putting up a new building is engaging the attention of Government. An estimate has been called for from the Chief Engineer.

(c) and (d). These questions do not arise in view of the answers to parts (a) and (b) above.

MR. S. J. NAIR (*Nedumangad*): May I know whether an estimate has been called for?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Answer to part (*b*) says that.

MR. S. J. NAIR (*Nedumangad*): When was that please?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The court itself was opened in Chingam 1108 and so the estimate must have been called for in the course of last year.

MR. S. J. NAIR (*Nedumangad*): Approximate date will do.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): During the latter half of last year.

MR. S. J. NAIR (*Nedumangad*): May I know whether it has reached Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Not yet.

Assistant Surgeons in the Public Health Department.

66. ***MR. K. SANKARAN** (*Kartikapalli I*): (*a*) Will the Government be please to give a statement by caste showing the number of Assistant Surgeons in the Public Health Department of the State; and

(*b*) will they be pleased to state the number of duly qualified Ezhavas who have applied hitherto for the place of Assistant Surgeon in the Public Health Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*); (*a*)

Jacobite Syrian Christian		...	1	
Marthoma	Do.	...	1	(Ag.)
Nairs		...	2	
Brahmins		...	2	

(*b*) 2.

MR. K. SANKARAN (*Kartikapalli I*): May I know from the member why, out of the two Ezhava applicants, no one was entertained?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There was no vacancy then. One of these applicants is only an L. M. & S., and at the time when this application was with Government, there arose one vacancy and an M. B. B. S., was appointed Subsequent to that, there was no vacancy. That is to say when the application of an Ezhava M. B. & B. S. was with Government, there was no vacancy and so he was not appointed.

MR. K. SANKARAN (*Kartikapalli I*): May I know whether any distinction is made, in the matter of appointments, between an L. M. & S. and an M. B. & B. S.?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The Deputy Director of Public Health says that an M. B. & B. S. should be preferred to an L.M.&S. Hence the Ezhava L.M.& S. was not entertained.

MR. K. SANKARAN (*Kartikapalli I*); Am I to take it that that is the invariable rule for appointments in the Public Health Department

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): In this particular case, the Deputy Director of Public Health has followed this rule. When a man with higher qualifications is available, preference should be given to him.

MR. K. SANKARAN (*Kartikapalli I*): So, am I to take it that no man with L. M. & S. qualification is appointed in the Public Health Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*). Only one L. M. & S. has so far been appointed.

MR. K. SANKARAN (*Kartikapalli I*): Am I to understand that when that man was appointed, there was no other M.B. & B.S. qualified man?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

Public Cremation ground in Shertala.

67. ***MR. EDAVANATT S. PADMANABHA MENON** (*Shertala I*): Will the Government be pleased to state:

(*a*) whether there is a public cremation ground in Shertala;

(*b*) if so, the location and the extent of the same; and

(*c*) whether they are aware that the dead bodies from the hospital and of the destitute are allowed to be exposed in Anathara Veli just to the east of the Alleppey-Aroor road?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) No.

(*b*) in view of the answer to part (*a*), this question does not arise.

(*c*) No. Dead bodies are either buried or burnt at the place.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Am I to understand from the member that there is no public cremation ground reserved for the said purpose. I heard the official member to say that—

DEPUTY PRESIDENT: You can only put a question.

MR EDAVANATT S. PADMANABHA MENON (*Shertala I*): What is the answer to part (*a*) please?

DEPUTY PRESIDENT: The answer was 'no.'

MR. POTTAYIL S KRISHNA PANICKAR (*Shertala II*): May I know if dead bodies are buried or burnt in private places at the expense of private land owners?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There are two private cremation grounds, one used by the Gaudasaraswats and the other by Elavaniyans.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): May I know in what locality they are?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I do not know. I know that there is no public cremation ground at Shertala.

Jenmies and Jenmom lands in the State.

68. *MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*): Will the Government be pleased to state:

(*a*) the total number of survey numbers of Jenmom lands in Travancore; and

(*b*) the total number of Jenmies?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) 3,55,414.

(*b*) 5,435 (approximate).

MR. P. C. NARAYANAN BHATTATHIRIPAD (*Travancore Jenmies, South*): തനിജന്മം വസ്തുക്കളുടെ സംഖ്യയാണോ പറഞ്ഞതു് അതോ പണ്ടാരപ്പാട്ടം വസ്തുക്കൾ കാണപ്പാട്ടം കൊടുത്തിട്ടുള്ളതുകൂടി ഉൾപ്പെടുത്തിയിട്ടുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): ജന്മവസ്തുക്കളെസംബന്ധിച്ചാണല്ലോ ചോദ്യം. അതിനുത്തരമാണു പറഞ്ഞതു്.

MR. P. C. NARAYANAN BHATTATHIRIPAD (*Travancore Jenmeis, Souuth*): പണ്ടാരവകവസ്തുക്കൾ കാണപ്പാട്ടംകൊടുത്തിട്ടുള്ളതായിട്ടറിയാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): ജന്മം വക വസ്തുക്കളുടെ കണക്കാണു് കൊടുത്തിരിക്കുന്നതു്.

Malayalam Typewriting.

69. *MR. P. C. NARAYANAN BHATTATHIRIPAD (*Travancore Jenmies, South*): Will the Government be pleased to state:

(*a*) what they have done till now, in popularising Malayalam Typewriting;

(*b*) whether, on account of the work done till now, Malayalam Typewriting has received satisfactory encouragement and progress; and

(*c*) what course do they propose to take in future in order to make the Malayalam Typewriting more popular?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*), (*b*) *and* (*c*). Negotiations are being carried on with a firm for the supply of machines fitted with the keyboard devised by Mr. N. S. Pandalai. The supply of machines for use in offices will be made only if, after demonstration, the keyboard is found satisfactory.

MR. P. C. NARAYANAN BHATTATHIRIPAD (*Travancore Jenmies, South*): ഈ വിഷയം ഗവണ്മെന്റിന്റെ ആലോചനക്കു വന്നിട്ടു എത്രകൊല്ലമായി?

MR. T. C. THOMMAN (*Ag. Secretary to Government*): രണ്ടുമൂന്നു കൊല്ലമായികാണും.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know whether Government propose to do the same thing in regard to the Tamil Typewriter ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Am I to answer this question.

DEPUTY PRESIDENT : I do not think that the word Malayalam includes Tamil. Therefore it cannot be allowed.

MR. S. J. NAIR (*Nedumangad*) : Does the member know that the inventor of the Malayalam Typewriter is a Travancorean ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : I believe so.

MR. S. J. NAIR (*Nedumangad*) : Has he been encouraged by Government ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Certainly.

A Railway Station at Venkulam.

70. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*): Will the Government be pleased to state :

(*a*) whether the necessity for opening a Railway Station at Venkulam, to the north of Warkalai, has been brought to their notice; and

(*b*) if the answer to part (*a*) is in the affirmative, the steps if any taken in the matter ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : (*a*) Yes.

(*b*) The South Indian Railway was moved in the matter, and two sites were selected for the Station. The matter has been ordered to lie over on account of financial stringency.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : When was the order passed ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : 21st August.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : Is the member aware that Venkulam and Edava are thickly populated places ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Yes.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : Does the member know that there is no nearest approach road to the Railway Station at Venkulam ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : The question was considered and Government decided to open a station. But due to want of funds the scheme is allowed to lie over at present.

MR. S. NILAKANTA PILLAI (*Chiraykil II*) : My point is, does the Government know that there is no approach road ?

DEPUTY PRESIDENT : Probably the member is putting this question with a definite object to establish the urgency of the matter.

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : I claim notice.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : Will the Government be pleased to address the Railway authorities for opening a new station in view of the fact that the surrounding locality is thickly populated ?

DEPUTY PRESIDENT : For want of funds, the matter is allowed to lie over. That was the answer.

MR. S. J. NAIR (*Nedumangad*): After the matter has been referred to the Railway authorities, may I know whether any new Railway Station was opened?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. A. THANU PILLAI (*Trivandrum-Rural*): What will be the cost of opening this Railway Station?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Rs. 15,000.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether this fund may not be available at least by diversion of funds in view of the urgent necessity for a station at Venkulam?

MR. T. C. THOMMEN (*Ag. Secretary to Governmnt*): No.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether, if the people of the locality guarantee that no loss will accrue to Government, they will favourably consider the question of opening a Railway Station?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The matter was considered by Government favourably. Due to want of funds, the matter is allowed to lie over for the present.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether any enquiry was made through the Tahsildar of the taluk for the quarters of the Station Master, *etc.*, at the locality?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The Railway District Engineer has inspected the site and has proposed the opening of a station.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether it is possible to open at least a trial station just like Kaniyapuram or Akathumuri?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): It has been decided by Government to open a new station. The question will be examined again.

Supply of rice to the Oolampara Hospital.

71. ***MR. T. KRISHNA PILLAI** (*Neyyattinkara II*): Will the Government be pleased to state:

(*a*) what kind of rice was supplied to the Hospital at Oolampara in 1108;

(*b*) how many times the supplies of rice were rejected as they were not according to sample;

(*c*) what kind of rice is supplied in the current year; and

(*d*) whether samples were shown at the time of auction?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Chamba rice.

(*b*) No record is kept.

(*c*) Chamba rice.

(*d*) Yes.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): In answer to part (*a*), may I know whether the rice supplied in the current year is the same either in quantity and quality as shown by the sample?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I think so.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): Has the Assistant Medical Officer reported about the bad quality of rice?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

Dispensary at Chavara.

72. ***MR. M. K. MADHAVAN PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) the date on which the dispensary at Chavara was opened;

(*b*) the amount paid as building rent till the 1st of Chingom 1109, since the opening of the dispensary;

(*c*) the number of patients treated there during 1108; and

(*d*) whether they are considering the question of a permanent building for the dispensary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretarg to Government*): (*a*) 1st Karkatakam 1095.

(*b*) Rs. 3,925 at Rs. 25 per mensem.

(*c*) In-patients 42.
Out-patients 18,173.

(*d*) No.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): (ഡി) വകുപ്പിനു ഉത്തരംഇല്ല എന്നുപറഞ്ഞതിനുള്ള കാരണമെന്താണെന്നുപറയാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): ഗവണ്മെന്റു അങ്ങിനെയാണു തീർച്ചപ്പെടുത്തിയതു്.

DEPUTY PRESIDENT: കാരണം ചോദിക്കാൻപാടില്ല.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): ഒരു ഡിസ്പെൻസറി സ്ഥിരമായി നടത്തിക്കൊണ്ടുപോകാൻ ആണ്ടുതോറും ഇത്രരോഗികളുണ്ടായിരിക്കണമെന്നുള്ളതിനു് വല്ല നിയമവുമുണ്ടോ?

RAO SAHIB DR. N KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അങ്ങിനെ ഉള്ളതായി അറിവില്ല.

MR. S. J. NAIR (*Nedumangad*): From the point of view of the number of beds, may I know whether the hospital is in a progressive condition?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is a matter of opinion.

MR. S. J. NAIR (*Nedumangad*): May I know whether there is any objection for Government to put up their own building for housing the hospital?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : They have no objection.

MR. S. J. NAIR (*Nedumangad*) : May I know whether the Government feel the necessity for erecting a permanent building for housing the hospital ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Not so far.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Is it the opinion of Government that the housing of a dispensary in a private building is cheaper to a Government building ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : A permanent Government building may be cheaper in the long run, but now the dispensary is located in a rented building for which a rent of Rs. 25 per mensem is being paid.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Is it the view of Government that rented building is cheaper than a permanent building ?

DEPUTY PRESIDENT : The answer was that the Government were not considering the question at present.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : I wish to know whether Government consider that putting up of their own building is cheaper or not.

DEPUTY PRESIDENT : There is no necessity for that. I consider that the question has been sufficiently answered.

Establishment of Dispensaries and Hospitals.

73. ***MR. A. EASWARA PILLAI** (*Kottarakara*) : Will the Government be pleased to state whether they have made any programme for the establishment of Dispensaries and Hospitals in consideration of population and distance ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : Government do not propose to open any new dispensaries until financial conditions improve.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether Government have prepared a list of the dispensaries which are necessary at fixed places ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : I claim notice.

Lecturers in the Training College.

74. ***MR. A. EASWARA PILLAI** (*Kottarakara*) : Will the Government be pleased to state :

(*a*) how many replacements of the highly paid Senior Lecturers by suitably selected men on a lower scale have been effected in the Training College in pursuance of Government order R. O. C. No. 789 of 32/Edn., dated the 4th June 1932 ; and

(*b*) if not, why they have not been effected till now?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) one.

(*b*) This does not arise in view of the answer to part (*a*.)

Sub-Assistant Surgeon in the Neyyattinkara District Hospital.

75. ***MR. N. K. KRISHNA PILLAI** (*Neyyattinkara I*): Will the Government be pleased to state:

(*a*) when the present Sub-Assistant Surgeon in the Neyyattinkara District Hospital took charge of his office;

(*b*) how many times he was since then deputed on special duty and the places to which he was deputed; and

(*c*) whether the Government are aware that the work in the hospital has suffered in consequence and the public who resort to the said hospital highly inconvenienced?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) 21-1-1109.

(*b*) He was not deputed on special duty; but he was sent on relief duty on three occasions, once to the District Dispensary, Perumkadavila and twice to the District Hospital, Parassala.

(*c*) No.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know how long this officer was in the Neyyattinkara Hospital?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The date when he took charge is in the answer just now furnished.

MR. K. R. ELENKATH (*Kalkulam I*): In view of the answer to part (*c*), may I know what is the necessity for keeping a sub-assistant surgeon there?

DEPUTY PRESIDENT: You can only ask for facts.

MR. K. R. ELENKATH (*Kalkulam I*): The answer says that the work has not suffered and, as a result, public have not been inconvenienced. May I know why—

DEPUTY PRESIDENT: You may come to your own conclusion.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yesterday we have been supplied with a list of unstarred questions to be answered to-day. But I do not find answers placed on my table.

DEPUTY PRESIDENT: Under Rule 14 (3) of the Legislative Rules, the order made by the President is as follows:

> "Unstarred questions will not be called and the answers supplied to them by Government will be caused to be printed along with the questions in the official report of the proceedings of that day".

So there is no necessity to answer those questions on the floor of the House.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then why should the notice of questions be supplied?

DEPUTY PRESIDENT: For information.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The President has not ordered that it should be placed on the table.

MR. PAGODE A. NARAYANA PILLAI (*Vilavankod*): Will the answers to the unstarred questions be published today?

DEPUTY PRESIDENT: Appendix VI, part (1) is clear on that point.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether it is to the Superintendent, Government Press, that they will be supplied?

DEPUTY PRESIDENT: That does not arise.

UNSTARRED QUESTIONS AND ANSWERS.

Statement by Caste of Sub-Registrars.

1. **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Goverument be pleased to lay on the table a statement, by caste, of all the Sub-Registrars in the Registration Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): A caste-war statement of all the Sub-Registrars as it stood on the 1st Thulam 1109 is placed on the table.

Statement by caste of sub-Registrars in the Registration Department.

Caste.		*Number.*
I. HINDU.		
1. Brahmin (Malayala)	...	1
2. Do. (others)	...	9
3. Ezhava	...	4
4. Kammala	...	...
5. Kshatriya	...	9
6. Nadar	...	...
7. Nair	...	23
8. Pulaya	...	...
9. Vellala	...	...
10. Other depressed classes	...	...
11. Other Hindus	...	1
II. MUSSALMAN.	...	1
III. CHRISTIANS.		
1. Protestant	...	4
2. Roman Catholic		
(*a*) Latin rite	...	1
(*b*) Syriac rite	...	3
3. Syrian		
(*a*) Jacobite	...	11
(*b*) Mar Thoma	...	6
4. Church of England	...	2
IV OTHERS.		
One place vacant.		

Statement by Caste of Secretaries, Assistant Secretaries and Superintendents in the Secretariat.

2. **MR. M. MAHOMED HANEEF** (*Nominated*): (*a*) Will the Government be pleased to place on the table a statement, by caste, of the appointments made in the grades of Secretaries, Assistant Secretaries and Superintendents in the Huzur Secretariat during the years 1107 and 1108; and

(*b*) will they be pleased to state whether they have received any applications from qualified Muslims for the above posts?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : (*a*) The statement is laid on the table.

(*b*) Yes.

STATEMENT.

	Secretaries.	Assistant Secretaries.	Superintendents.
I. HINDU.			
Brahmins—(Malayala)	...	...	...
Do. (Others)	3	4	2
Ezhava	...	1	...
Kammala	...	...	...
Kshitriya (Malayala)	...	...	...
Nadar	...	...	...
Nair	3	3	3
Pulaya	...	...	...
Vellala	...	...	1
Other depressed classes	...	...	...
Other Hindus	...	...	...
II. MUSSALMAN.	...	...	...
III. CHRISTIANS.			
1. Protestants	...	...	...
2. Roman Catholic	...	...	...
(*a*) Latin rite	...	...	...
(*b*) Syriac rite	...	...	...
3. Syrians	...	...	...
(*a*) Jacobite	...	...	...
(*b*) Marthoma	1	...	1
4. Church of England	...	1	...
5. Depressed classes	...	...	...

Statement by Caste of Headmasters of English High Schools.

3. **MR. M. MAHOMED HANEEF** (*Nominated*) : Will the Government be pleased to place on the table, a statement, by caste, of the Headmasters in the various Government English High Schools in the State ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

Brahmins	11
Nairs	3
Other caste Hindus	3
Christians	1
Total	18

The number does not include the Personal Assistant to the Director of Public Instruction and the teachers in independent charge of English High Schools.

Appointment of Muslims as Headmasters of English High Schools.

4. **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state whether they have received any application from Muslims for the post of Headmasters of English High Schools?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Government have not received any application. But it is reported that one such application was received by the Director of Public Instruction.

Applicants for appointment as Muhammedan Inspector of Schools.

5. **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state whether they have received applications from Muhammedans, who are graduates in Arabic, for the post of the Muhammedan Inspector of Schools?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes—two applications.

Forest road from Azhancholai to Maruthamparakani.

6. **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state:

(*a*) whether there was Budget sanction for the construction of a forest road from Azhancholai to Maruthamparakani in Vilavankod taluk; and

(*b*) if the answer to part (a) is in the affirmative, whether the said road has been constructed?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) No.

(*b*) This does not arise in view of the answer to part (*a*) above.

Primary school for the Mahomedans and Kanees.

7. **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state:

(*a*) whether there was a Primary School for the Mahommedans and Kanees of Kadayalumoodu in Kaliyal pakuthi, Vilavankod taluk; and

(*b*) if the answer to part (*a*) is in the affirmative, why it was abolished?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) There was no Primary School for the Mahomedans and Kanees as such, in Kaliyal pakuthi, Vilavankod taluk.

(*b*) This does not arise in view of the answer to part (*a*) of the question.

Fall in literacy in the State.

8. **MR. CHANGANACHERY K. PARAMESVARAN PILLAI** (*Kunnattur cum Pattanapuram*): Will the Government be pleased to state:

(*a*) whether it is true that while the population of the State has increased during the last ten years by 27 per cent. the proportion of literacy has fallen from 24·2 per cent. in 1921 to 23·9 per cent. in 1931; though in India as a whole it has risen from 7 per cent. to 8 per cent.

(*b*) if the answer to part (*a*) is in the affirmative, the reasons for this fall in literacy; and

(*c*) whether this fall in literacy can be traced to any particular community or communities, and if so, which?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) to (*c*) The member is referred to Chapter IX of Vol. I of the Census Report of Travancore, where the facts are fully discussed.

Consumption of Petrol in the State.

9. **MR. CHANGANACHERY K. PARAMESVARAN PILLAI** (*Kunnattur cum Pattanapuram*): Will the Government be pleased to state the quantity of petrol consumed in the State?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The approximate annual consumption of petrol in the State is 1,894,260 gallons.

Lady Assistant Surgeon in the General Hospital.

10. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) whether there was a Lady Assistant Surgeon in the medical staff of the General Hospital;

(*b*) if so, when it was;

(*c*) for what reason her services were dispensed with; and

(*d*) whether they are aware that there is a female ward and a separate section for females in the dispensary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Yes.

(*b*) From Meenam 1088 to Edavom 1090.

(*c*) Her services were not dispensed with. When a fully equipped hospital for women and children was opened in Trivandrum, she was posted to that institution, as a lady doctor was not then felt to be necessary for the General Hospital.

(*d*) Yes.

Stipend for Medical Studies.

11. **MR. N ABDUR RAHIMAN SAHIB** (*Nominated*): Have the Government awarded stipend to any Muslim lady for medical studies in the Madras Medical College?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): There was no application from any Muslim lady for a stipend for medical studies in the Madras Medical College, and none has been awarded.

Additional Jenmikaram Settlement Officers.

12. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): (*a*) Will the Government be pleased to lay on the table a statement, by caste, of additional Jenmikaram Settlement Officers; and

(*b*) will they be pleased to say whether all these appointments were given effect to?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) A statement by caste of the Additional Jenmikaram Settlement Officers is laid on the table.

Caste.		*No. of officers in each caste.*
Brahmins	...	6
Ezhavas	...	5
Nairs	...	12
Vellalas	...	4
Kshatriya	...	1
Asari	...	1
Muslims	...	2
Christians	...	6
Total	...	37

(*b*) No. Only 31 officers are now deputed for work in various taluks. The other six officers will be deputed for duty as the work progresses and necessity arises.

Statement by Caste of clerks in the Office of the Director of Public Instruction.

13. MR. K. SANKARAN (*Karlikapalli I*): Will the Government be pleased to give a statement by caste showing :—

(*a*) the number of clerks in the Office of the Director of Public Instruction ;

(*b*) the number of clerks in the Office of the Chief Inspector of Vernacular Schools ; and

(*c*) the number of clerks in the Office of the Inspectress of Vernacular Schools ?

MR. R. M. STATHAM (*Director of Public Instruction*) : A statement by caste of clerks in the Office of the Director of Public Instruction, and in the Offices of the Inspector of Vernacular Schools and the Inspectress of Girls' Schools, is laid on the table.

Statement by caste of clerks in the Office of the Director of Public Instruction and in the Offices of the Inspector of Vernacular Schools and the Inspectress of Girls' Schools.

(*a*) Clerks in the Office of the Director of Public Instruction.

	Caste.	*Number.*
HINDU	Brahmins (Others)	16
	Nayar	1
CHRISTIAN	Syrian Jacobite	2

N. B.—Typists, Stenographer and Overseer are not included.

(*b*) and (*c*) Clerks as on 1-1-1109.

Caste.	*Office of the Inspector of Vernacular Schools.*	*Office of the Inspectress of Girls' Schools.*
HINDUS.		
Vellala	2	1
Nairs	2	2
Tamil Brahmins	11	3
Barber	...	1
CHRISTIANS		
Protestant	...	2

N. B.—Typists and acting clerks are not included.

Co-operative Societies in the State.

14. **SRIMATI T. NARAYANI AMMA** (*Nominated*): Will the Government be pleased to state :

(*a*) the number of women's Co-operative Societies in the State and the number of women in the Co-operative movement at the end of 1108;

(*b*) the number of Honorary Organisers at the end of 1108;

(*c*) the number of Co-operative Inspectors at the end of the said period, and

(*d*) the number of ladies among (*b*) and (*c*)?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) Number of societies 5. The information regarding the number of women in the Co-operative movement is not available for 1108.

(*b*) 20.

(*c*) 27.

(*d*) Nil.

LEGISLATIVE BUSINESS.

DEPUTY PRESIDENT: We will now proceed to Legislative business.

THE TRAVANCORE CIVIL COURTS' POWERS AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to introduce the Travancore Civil Courts' Powers Amendment Bill. The Bill has been published in the Gazette with a Statement of Objects and Reasons, and I move that the Bill be read in the Assembly.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether any Civil Courts' Regulation exists in Travancore?

DEPUTY PRESIDENT: You are out of order.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I shall briefly explain the principles involved in the Bill. "Law's Delays" has been a long standing cry in this State. The Legislature of the country also animadverted on it for a long time. Sir, about 3 years ago, Government appointed a commission to enquire into the "Law's Delays" and suggest remedies. The Commissioner appointed was a retired High Court Judge of eminence. He had been in all the grades of Judiciary, as Munsiff, District Judge and High Court Judge and has experience of the Judicial Administration of the country in all its aspects. He was also a legal practitioner once. The Commissioner submitted his report containing a number of proposals. They were all considered by the High Court and, in substance, most of the proposals of the Law's Delays Commissioner have been agreed to.

[Mr. Kayalam Paramesvaran Pillai.]

Amongst the proposals made by the Law's Delays Commissioner for facilitating the expeditious disposal of civil suits, are the enhancement of the Ordinary and Small Cause jurisdictions of the Munsiffs' Courts and the Appellate jurisdiction of the District Courts as also a provision for a preliminary scrutiny of second appeals filed in the High Court. The High Court have agreed to these proposals generally and have recommended legislation for the following purpose, namely :—

(1) to raise the ordinary jurisdiction of the Munsiffs from Rs. 2,000 to Rs. 2,500 ;

(2) to raise the Small Cause jurisdiction of the Munsiffs from Rs. 100 to Rs. 200 ;

(3) to raise the appellate jurisdiction of the District Court from Rs. 1,000 to Rs. 2,500, that is to say, to make the District Court the first appellate Court in respect of all suits decided by the Munsiffs;

(4) to invest the District Courts with an appellate "Small Cause" jurisdiction up to a limit of Rs. 500, that is to say, to make final the decisions of the District Courts passed in appeals against the decisions of Munsiffs in original suits (of a "Small Causes" nature) of the value of Rs. 500 or less and

(5) to provide for a preliminary hearing, by a single judge of the High Court, of all second appeals, for the purpose of determining whether they are *prima facie* permissible in law, in other words, to institute an "Admission Court" for second appeals.

The principle involved in the Bill is one that has been proposed by the Law's Delays Commissioner and assented to by the High Court with a few slight modifications. It is the High Court's proposals that are embodied in this Bill.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the right of first appeals to the High Court, which is provided for in the Law's Delays report, is taken away?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I will come to that. The Law's Delays Commissioner proposed that all appeals up to a value of Rs. 2,000 should lie in the District Court. The High Court add that all appeals up to a value of Rs. 2,500 should lie to the District Court. That is to say that all appeals against Munsiff's decisions should lie in the District Court. I believe there is a good deal to say in support of the proposal of the High Court. It has been made clear by the investigation of the Law's Delays Commissioner, which has received the support of the High Court, that the High Court is not able to keep abreast of the number of cases filed coming before them every year. The High Court stands in need of relief so far as the number of cases filed therein is concerned. It is only fair, and that has to be accepted by one and all the members here, that the High Court must be given some relief. Similarly, the District Courts also stand in need of relief to some extent. The same applies to Munsiff's Courts also. I know that there is a feeling of considerable opposition in some quarters of this House in regard to some

of the amendments proposed. But it seems to me that the general principle, namely, to devise some measures to expedite the disposal of suits will be accepted.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): May I know whether the appointment of two more Judges in the High Court would be sufficient to clear up the arrears?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may be sufficient.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): Will that be not some relief to them?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is no doubt about that. If you want, you can have four more Judges.

But as matters stand at present, if you want the High Court to keep abreast of the work coming up for disposal this Amendment Bill seems to be the best. It has the full approval of the High Court. Government also concur with them. By the introduction of such a measure, as a whole there will be a corresponding decrease of work in District Courts.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Is it the intention of the main Bill to give relief to the High Court and not to the courts lower down?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): By means of this Amendment Bill, every court has some change of work. But as to how far it will result in appreciable diminution of work depends on other considerations too.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Could not the appointment of the seventh Judge afford some relief?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Maybe.

But we want some permanent arrangement to be made.

MR. S. J. NAIR (*Nedumangad*): May I know whether, by establishing new Village Panchayat Unions in various parts of the State, work in courts cannot be minimised?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It will be of no use.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know what is the Government's view. Why not the Munsiffs be given some more work?

DEPUTY PRESIDENT: I disallow that because we are dealing with the Bill and Government's view on that particular question does not count.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Will the member be in a position to say the extent to which the District Judges and Munsiffs will get relief to their work at present and the extent t which additional work would be given them as a consequence of this proposal?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It has been given by the Law's Delays Commissioner in his report in the place dealing with his proposals. But some changes have been made therein by the High Court. But the principle is the same.

MR. K. R. ELENKATH (*Kalkulam I*): In passing this Amendment Bill, will there be any necessity for establishing additional District Courts ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is easier to have a few more District Judges, if it comes to that.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): How is it much easier ?

MR. K. R. ELENKATH (*Kalkulam I*): Is it not a costly arrangement ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): District Judges are cheaper than High Court Judges. But I do not go into all that now.

Sir, as I said, I shall not go into the details of the report, because the report covers over 400 pages or so. I hope every non-official member interested in this measure has gone through it carefully and would give his warm support to this Bill. I am glad to think in this connection that there are in the House to-day two gentlemen who have been in the High Court Bench for a pretty long time. I trust that they will speak on this Bill and will extend their support to it.

DEPUTY PRESIDENT: May I call the Law Member's attention to the fact that the Law's Delays Report being a prolix document, it will be very difficult for members to pitch upon particular items for criticism. It is better the Law Member tells the House the salient points of recommendations of the Law's Delays Committee and the views of the High Court thereon bearing on the point.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have no objection to explain the report in the manner indicated. But my only fear is that the time at my disposal is only short.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I rise to oppose the principle of the Bill that has been introduced for the consideration of this House. The object of this piece of legislation is stated to be one for avoiding the law's delays that are now experienced in this State and the Law Member has behind him the support of the Law's Delays Commissioner's Report and the opinions of the High Court Judges. I think that this present Bill is mainly intended to reduce the expenditure of the Government for the Judicial Department of the State. If we examine the main provisions of the Bill, we find that, after this Bill becomes law, the administration of justice in this country will be less efficient than it is at present.

First of all, the Bill proposes to increase the small cause jurisdiction of the Munsiff from Rs. 100 to Rs. 200. The Government have been always trying to increase the small cause jurisdiction of the

Munsiff for the last thirty or thirty-five years and whenever that proposal was brought before the Legislature of the country, there has been some opposition, and a very legitimate opposition, and sometimes the Government had to drop their Bill in the middle. The disadvantages that the litigants and the general public in this country are now feeling owing to the summary manner in which the small cause suits are disposed of by the Munsifis must be taken into consideration, when Government come forward with such a proposal. The learned Commissioner who has submitted the report himself says that the majority of opinion was against increasing the small cause jurisdiction.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Did they use the word 'majority'?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): At page 490 of the Law's Delays Commissioner's Report, it is stated—

> "There is, however, a large volume of public opinion against such a general enhancement. In view of the fact that a body of well—informed opinion is against a general enhancement of small cause jurisdiction, such a measure is not recommended for the time being".

And, later on, he says that, if the Government are going to appoint the best Munsiffs in the District Court centres, they may be invested with small cause jurisdiction up to Rs. 200. An officer whose main duty was to find out the means to avoid law's delays makes a recommendation of this sort with great hesitation and with sufficient precaution.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will the member accept that recommendation?

MR A. S. DAMODARAN ASAN (*Mavelikara*): I do not accept it and I am not bound to accept it. Sir, I would just draw the attention of the members on this side of the House to a Full Bench ruling reported in the first volume of the Travancore Law Times at page 610.

DEPUTY PRESIDENT: You do not object to the other members also listening?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): No. There the present learned Chief Justice writes a dissenting judgment in which he states clearly how much hardship would be caused to the general public in this country if the Munsiffs have only to write in their judgment the points for determination and the decision thereon. Anyhow, they are bound to act according to the law of the land. They can only interpret it and so even the High Court Judges find it rather difficult to interfere with the decisions of the Munsiffs in small cause suits. They could interfere with such decisions only under certain restrictions. The average wealth of a Travancorean is very low and sometimes he will have to stake the whole of his earnings in a small cause suit. So I am strongly of opinion that the principles embodied in the Bill with regard to the enhancement of the small cause jurisdiction need not be countenanced by this House.

After thus reducing the work of the Munsiffs, this Bill wants to give them some work by enhancing the original jurisdiction of the Munsiffs from Rs. 2,000 to Rs. 2,500. The learned Law's Delays Commissioner says that, if the Munsiffs could dispose of suits up to

[Mr. A. S. Damodaran Asan.]

Rs. 2,000, he does not find any reason why it could not be enhanced by Rs. 500. Sir, if that argument is carried on, we can give unlimited original jurisdiction to the Munsiffs in this land. Because, we can always go on adding Rs. 500 to a particular figure and say that the addition of Rs. 500 is only a small addition. I do not fully agree with another reason adduced by the learned Law's Delays Commissioner for enhancing the original jurisdiction, that reason being that the Munsiffs at present recruited are much more efficient than those who were administering the law previously. Anyhow, I think Rs. 2,000 and more is a very big sum for anybody, except probably high-paid officers in this country, and the public have the right of getting their rights of over the value of Rs. 2,000, adjudicated upon by a District Judge. If the Government concede that the High Court Judges are more efficient than the District Court Judges and that the District Court Judges are more efficient than the Munsiffs, have they not to admit that by transferring the suits between Rs. 2,000 and Rs. 2,500 in value to the Munsiffs, the efficiency of the administration of justice will be impaired?

The next point is with regard to the appeals from suits between Rs. 1,000 and Rs. 2,500 in value. Now, the litigants have a right of their appeals being heard by two Judges of the highest court in the land. The Bill proposes to transfer the appellate jurisdiction in such cases to the District Judges. If the District Judge agrees with the Munsiff, the party loses the right of his case being heard by the High Court, Sir, this is a hard provision. Hearing a case by two Judges is a right which is sure to give some satisfaction to the litigant public. I think the only object, as far as I could see, in introducing this Bill is to reduce the expenditure. Do the Government want to make a profit by selling justice, I ask? Now, by the sale of court fee stamps and from other items of income under the head "Administration of Justice", the Government are getting about Rs. 19 lakhs. They are spending only Rs. 12 lakhs and thus the Government are now making a profit of Rs. 7 lakhs by selling justice.

DEPUTY PRESIDENT: Mr. Asan, you mean by the expression selling justice, providing facilities for the administration of justice? I am putting it to clear a doubt that I personally feel. 'Sale of justice' is an expression which means more things. You do not mean it in any other sense?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If it is used in any other sense, it is not justice that is sold. That is injustice.

MR. PACODE A. NARAYANA PILLAI (*Vilavancode*): May I know whether the member has used the expression in the sense in which it is used in the 'Magna Carta'?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I do not know anything about it.

DEPUTY PRESIDENT: The first question should be whether the member has read the Magna Carta Further we do not say, the Magna Carta. You may proceed, Mr. Asan.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): So there is a profit of seven lakhs under "Administration of Justice", and I think the Government should have reduced the rates of *ad valorem* fee and other fees and seen that they do not realise anything more than what is absolutely necessary for the administration of justice in this country. Now, they want to reduce the expenditure still further. It is not justified. What I am just suggesting is that the Government should remember that the trust of the general public in the Government depends upon the efficient administration of justice in the land. And if they want to do anything which will impair that efficiency, I may assure the Government that the trust that is now reposed in them will also be proportionately reduced. I believe that the Government will take into consideration all these facts and that the Law Member will withdraw the Bill.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, I rise to support the principle of the Bill, namely, that some amendment in the Civil Courts Regulation is necessary, but I do so with very large reservations. The Amendment Bill has to undergo radical changes before this side of the House can accept it. On an anxious consideration of the whole question, I think that some changes are necessary, because the people at large in Travancore are feeling strongly on the Law's delays. There has been a Law's Delays Commission and the report of the Commission has been for some time before the public. The highest tribunal in the land, the High Court, has considered its proposals and the Government has also anxiously considered the various views, and as a result, the present Bill has been presented to us for deliberation. The sole aim of Government as well as of the Law's Delays Commission and of the High Court was to find out some speedy way so that this proverbial law's delays in Travancore may be lessened and matters expedited. Under such circumstances, it is our duty and it is only fair to the Government that we give our anxious consideration to the Bill. But, as I have already submitted, radical changes are necessary before we could accept the Bill. Rs. 200 is not a small amount to a Travancorean. Small cause suits are decided by the Munsiffs in a summary fashion and the law allows that. Even then it necessitates a detailed enquiry in some of its important stages and there is also delay in the disposal of small cause suits.

As in civil cases, adjournment is applied for in small cause suits also and granted; there is admission of document, there is posting of cases from day to day and arguments are also at times elaborately heard in small cause suits. In a country where the smallest coin is 1/16 of a chuckram—a cash—my submission is that this amount of Rs. 200 is a substantial amount to an average Travancorean. So to increase the jurisdiction of small cause cases is a question on which there is considerable feeling among the public. As Mr. Damodaran Asan remarked, there is also a strong feeling against taking away the benefit that is accruing at present to the litigant, namely, the benefit of having the appeals heard by two Judges of the highest tribunal in the land.

[Mr. Edavanatt S. Padmanabha Menon.]

To take away that right given by Statute and substitute the right of hearing of the appeal by a single Judge, namely, the District Judge, is an invasion of the public right which we see in the Amendment Bill. To be fair to the public, I must state that there is an unfortunate impression throughout the State that everything is not right in the present recruitment to the judiciary; and with certain exceptions, the average level of the efficiency of the present day recruited Munsiffs is below the expected level; and as such the people at large feel that no enhancement of the jurisdiction of the Munsiffs will be conducive to public interests.

There is also a difference of opinion whether Rs. 2,000 jurisdiction of the Munsiffs should be enhanced to Rs. 2,500. As a practising Vakil, I know and other practising Vakils also might know, that litigants always feel anxious when there are important questions of law involved to artificially enhance the valuation of the suit slightly above Rs. 2,000 just to take away the suit from the jurisdiction of the Munsiff and get it admitted into the District Court, so that they can be sure of a more efficient and better justice. That is the present day impression. So, I feel strongly that, even if this kind of additional jurisdiction of Munsiffs is to be adopted, it should be confined only, as the Law's Delays Commissioner recommends, to select well-merited and efficient Munsiffs and should not be accepted as a general principle throughout the country. Of course, the Law Member may say that these are matters of detail that may be referred to the Select Committee. But I feel that some of these things might go even counter to the main idea of the Bill so that, if the Law Member is amenable to the idea that drastic changes almost on all Sections as presently brought may be made possible, that the Government will leave to the Committee a clean slate, this side of the House is also anxious along with the Government to help to solve the law's delays problem of speeding up justice. I support the principle of the Bill, and the Bill may be referred to a Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): It is unfortunate that this draft Bill seeks to remedy the great evil of law's delays by this piece-meal legislation. I think no effective cure for the law's delays can be attempted in fairness to the recommendations made by the Law's Delays Commissioner, if his scheme is not implemented by legislation on a comprehensive scale. Sir, for example, much of the edge of our criticism would have been blunted if Government had taken the care to lay down the principles of recruitment to the various officers of the judiciary as suggested by the Law's Delays Commissioner. He makes wholesome and healthy suggestions with regard to the recruitment, which are unexceptionable and which would have gone a great way in making it unnecessary for us to stress many points which we are compelled under the present circumstances to bring before the notice of this House and Government. That is one aspect of the matter.

Another thing is, I for one do not think that these measures are going really to alleviate the law's delays considerably, because, as has been pointed out by the Law's Delays Commissioner himself by quoting the opinion of the Civil Justice Committee, improvements in methods, though they may be of vital importance, cannot by themselves be a cure for the law's delays. We find these are all mere improvements. As long as there are arrears, accumulated in courts, the very fact of the existence of the arrears will be a powerful influence to delay the work in the courts and to make the work inefficient. That has been pointed out very forcibly, by the Law's Delays Commissioner, by quoting the observations of the Civil Justice Committee, which, as extracted by the Law's Delays Commissioner on page 94 of the Laws Delays Committee Report, ireads—

> "Improvements in methods are of vital importance. We can suggest improvements, but we are convinced that, where the arrears are unmanageable, improvement in methods can only palliate. It cannot cure. It is patent that when a court has pending work which will occupy it for something between one year or two years and even more, new-comers have faint hopes. When there is enough work pending at the end of 1924, to occupy a subordinate Judge till the end of 1926, difficult contested suits instituted in 1925 have no chance of being decided before 1927. Whatever be the improvement in methods, improvement in methods alone cannot be expected in such circumstances to produce a satisfactory result even in a decade. Until this burden is removed, or apparently lightened, the prospect is gloomy. The existence of such arrears presents further a serious obstacle to improvement in method."

Then referring to the general effect of arrears in courts, the Law's Delays Commissioner says.

> "A chronic state of arrears of work in a court may cause delays in a variety of ways A large accumulation of old suits on which he can hope to produce but little impression, try as hard as he might, would damp the ardour of any officer, and prevent him from feeling a sense of responsibility for the state of the work in his court, which is at the foundation of efficiency and despatch. It also tends to engender in him a feeling of diffidence which may easily degenerate into one of listlessness or indifference, and would stand in the way of his taking that interest in, and acquiring that grip over, the file in his court, which is essential to methodical and expeditious work. As his attention would naturally be concentrated on the older suits on his file. he may not have sufficient time to bestow on the later arrivals. He cannot be seriously blamed, therefore, if he fails to take a real interest in new suits which he knows, will be more or less long-lived and would in all probability be decided not by him, but by one of his successors. And no useful purpose would be served by applying to them the methods prescribed by the Civil Procedure Code with a view to save time and expedite disposals. It would matter very little whether in a suit which has to wait about 2 or 3 years to take its turn for trial, the issues are settled as soon as the Written Statements are filed, or a year after, or whether they are posted one month hence or six months hence. Owing partly to this, and to the heavy file which weighs down his spirits and crushes out all initiative, the old methods continue, and the machinery of the court moves along the old grooves, which were exactly the conditions under which the arrears have been growing and thriving."

These are sufficient to show that a mere change in the methods of Administration of Justice, however necessary they may be, will not be a radical cure to the great disease of law's delays which has been

[Mr. K. Kunjukrishna Pillai]

accumulating in the State for such a long time. Sir, addressing on the draft Bill generally so much, I wish now to go to the definite proposals as found in the draft Bill. We find we will have to take into account that these extraordinary powers of jurisdiction, extension of jurisdiction and other things are going to be entrusted to the Munsiffs whose work has been reviewed in the Civil Administration Report of 1107 M. E. by Government thus :—

> "The total number of suits for disposal and the number disposed of in the Munsiffs' Courts rose from 92,622 and 65,009 respectively, in 1106, to 98,857 and 66,995 respectively, in 1107. The arrears also rose from 27,613 at the end of 1106 to 31,862 at the end of 1107. The disposals of contested ordinary suits and contested small causes fell from 12,309 and 4,492, respectively in 1106 to 11,543 and 4,129, respectively in 1107. The number of suits pending for more than two years showed a further rise, being 7,045 against 6,789 in 1106, 5,966 in 1105 and 4,947 in the year previous. There was also a rise in the average duration of contested ordinary suits from 518 days in 1106 to 538 days in 1107."

This is the opinion of Government about the work of the present day Munsiffs which ought to be carefully borne in mind before the House allows any such drastic changes of jurisdiction. Government says—

> "Government are constrained to observe that the work of the Munsiffs has been deteriorating and they look to the High Court to take the necessary action with a view to improve the situation."

With regard to the work of the District Judges, they say thus :

> "Government regret that they are not able to record satisfaction of the work of the District and Session Judges."

These two observations, I think, the House will do well to consider very seriously before they allow any enhancement of jurisdiction to the Judicial officers. Sir, somehow to get rid of delay by any means should not be the objective of sound and healthy legislation. I would also like to point out, what amount of confidence the litigant—

MR. A. EASWARA PILLAI (*Kottarakara*): May I know whether the member can give any other means to cure law's delays?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Yes. I can, and I have already suggested. If the member had been listening to me when I said that these piece-meal methods of dealing with law's delays are no cure to the disease and that the various suggestions recommended by the Law's Delays Commissioner have to be taken into consideration comprehensively—

DEPUTY PRESIDENT: You need not repeat what you have said, Mr. Kunjukrishna Pillai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, with regard to the small cause jurisdiction, Mr. Damodaran Asan pointed out a deviation that the draft Bill goes even further from the recommendation of the Law's Delays Commissioner. The Law's Delays Commissioner suggested that the pecuniary jurisdiction of small causes can be

extended in the case of experienced Munsiffs and restricted it like that. He very rightly respected the volume of non-official opinion on that point. But the Law Member does not seem to give any weight to it. I do not know whether the High Court recommended the extension of the jurisdiction as the Law Member proposes in his Bill. But we are disposed naturally, Sir, to give a lot of weight to the observations of the Law's Delays Commissioner, especially because it is so very reasonable. This is a right that has been very jealously guarded on previous occasions as well, and I do not see any reason, unless the Law Member is able to convince us that the Law's Delays Commissioner has been wrong in cautiously proceeding with it, why the House has not a right to question the Law Member as to the justification of the change from the Law'sDelaysCommissioner's recommendations that he proposes. Sir, the Law Member should not state that there is no change in principle from the recommendations which the Law's Delays Commissioner has made. There is change in principle, however small it may be. By this draft Bill, the right of appeal from the Munsiff's decisions to the High Court has been taken away. Even under the proposals of the Law's Delays Commissioner, at least in the case of appeals from Rs. 2,000 to 2,500, however small it may be, there was a right of appeal to the High Court and it is a very important thing, as has been pointed out on various other occasions by non-official members, when other proposals of a similar nature were discussed. It is very necessary for the High Court to see at first hand the nature of the work done by the Munsiffs, the subordinate judiciary. That is a powerful argument that applies with equal force even at the present day. But that is now denied. The District Court is perhaps in all cases the first Appellate Court in these matters. It is, from the point of view of the litigant, very hard, because he has to carry his litigation through two courts. I do not agree with the arguments of the Law's Delays Commissioner in this respect, because he says that if the appeal is directly to the District Court it would be cheaper for the litigant than it would be if the appeal lay to the High Court only. He obviously forgets the fact that, if there is the possibility of a second appeal, that will invariably be availed of, so that the first appeal in the District Court is mere wastage from the point of view of many litigants. Sir, to an average Travancorean Rs. 2,000 to 2,500 or even Rs. 1,000 to 1,500 is of great value, especially in these days when the value for money has increased very much more on account of the economic depression than it was at the time the Law's Delays Commissioner made his recommendations. Property which would have fetched a hundred rupees about two years ago will not fetch more than half of it now.

Sir, I think if I take up in detail section after section of this Bill, it will be necessary for me to criticise them all. I do not wish to take up the time of the House especially in view of the fact that many are very anxious to discuss the Report of the Education Reforms Committee.

DEPUTY PRESIDENT: I may suggest that, in considering this measure, we must discuss it quite as much as it requires. Of course, the other matter may be borne in mind; all the same we should not proceed to another item without doing enough with regard to this.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I was feeling a sort of oppression on account of my responsibility to give time to the members who did not get a chance of speaking on the Statham Report.

In the circumstances, Sir, what I would suggest is that free amendment of this Bill must be allowed. My own opinion is that law's delays can be avoided only by devising some machinery to wipe out the arrears which have accumulated. There is no use in any attempt at piece-meal reform, if efficient and effective arrangements are made for wiping out the arrears. Then there may not be any necessity for this Bill. I would therefore suggest that the Law Member should withdraw this draft Bill and think of introducing a reform which will wipe out the arrears; and then if it is found necessary, he may introduce some Bill to facilitate the speedy disposal of cases. As it is, I do not think there will be any use in enacting a measure like the one now before the House.

MR. S J. NAIR (*Nedumangad*): Sir, it is difficult to accept this Bill as it has been presented to us. I do not know whether the Law Member was in order when he presented this Bill.

DEPUTY PRESIDENT: He was perfectly in order. (*Laughter.*)

MR. S. J. NAIR (*Nedumangad*): I doubted it, Sir, because there is at present no Civil Courts' Powers Regulation, no such enactment there exists today that stands in need of amendment. Sir, the Law Member seeks by this Bill to amend three Regulations. I pondered and pondered and I was puzzled as to why and how the Law Member has huddled up and muddled up three Regulations together in this enactment that he has now proposed. (*Laughter.*) The Travancore High Court Regulation, the Civil Courts Regulation and the Code of Civil Procedure are all sought to be amended by this piece of legislation.

The enhancement of the small cause jurisdiction of Munsiffs will work great hardship to the litigant public. Even the existing small cause jurisdiction works hardship to them on account of the indifference of the Munsiffs towards small cause cases and the absence of sufficient attention on their part to the disposal of these cases. In the present circumstances, the small cause jurisdiction of Munsiffs could not and shall not be enhanced. I would suggest that, if possible, it should be lowered. On the other hand, I quite appreciate the suggestion to enhance the original jurisdiction of Munsiffs from Rs. 2,000 to 2,500. That is a very good suggestion.

MR. K. C. ABRAHAM (*Kottayam II*): Does the member advocate the lowering of small cause jurisdiction in all courts in the State or only in particular courts?

MR. S. J. NAIR (*Nedumangad*): All Munsiffs' Courts.

When we take into consideration the poverty of the people of the State and also the value of money, it is not at all advisable that the small cause jurisdiction is raised. On the other hand, it ought to be lowered. It is only if the Law Member would give an undertaking that this Bill would go to a Select Committee and necessary amendments will be made to it, that we can give our support to it.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): I am also inclined to support the principle of this Bill, the principle *viz.*, that some amendments of the existing Regulations which define the pecuniary jurisdiction of the courts are necessary in order to obviate the law's delays. When enhanced powers are sought to be given to our courts, it should be made with a view to provide the necessary safeguards to obviate the causes of delay now so pronounced in our courts. The only question for consideration at this stage is whether the proposed enactment is quite conducive for the purpose. I am of opinion that the proposed enhancement of the pecuniary jurisdiction of Munsiffs should not be allowed to become law. Sir, whatever legislation we may enact, the success or otherwise of such legislation depends almost entirely upon the capacity of the judicial officers who are to administer these enactments. I am sorry to state, Sir, that, with very few exceptions, the present day recruits to the judiciary are inefficient and are themselves responsible for aggravating delay in the disposal of cases. The litigant public have lost much of their confidence in the judiciary as a whole.

MR. A. EASWARA PILLAI (*Kottarakkara*): Are the judical officers purposely causing delay?

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): I am sorry to say, Sir, that, in some cases they purposely cause delay either due to their incapacity or indolence. And those of us who have had occasion to practise before some of the lower courts know, Sir, their method of disposal of suits, especially during the quarter months.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I ask whether the vakils also are not guilty of contributory negligence in this matter?

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): Yes, in some cases. What I wish to emphasise is that the proposed provision with regard to the raising of the pecuniary jurisdiction of the Munsiff, in small cause cases or in original civil suits, should not be allowed to become law. Whether we should accept the recommendations of the Law's Delays Commissioner or those of the High Court is a matter for the Select Committee to decide. As such, I think it is better that the Bill be referred to a Select Committee for suitable amendment on the lines indicated in this House,

MR. ANTONY GEORGE (*Nominated*): There is complaint from the general public that all is not well with our judiciary. There are many grounds for such complaint; but the main ground for such complaint is with regard to the inordinate delay in the disposal of suits. Whereas in

[Mr. Antony George.]

British India and other places, ordinarily, suits are disposed of within one year, even in simple suits, our courts sometimes take 3 or 4 years for disposal. This complaint became so loud and insistent that Government at last appointed the Law's Delays Committee; and I am very glad to say that the Committee did their work very conscientiously. The Report that they have submitted contains very useful suggestions and recommendations. If the Government had taken immediate action and given effect to the Committee's recommendations in time, law's delays could have been controlled much earlier. But, on one plea or another, Government put off the matter. Now, they have come forward with this Bill which is based mainly on the recommendations of the Law's Delays Committee. If this Bill will in any way help to expedite the trial and disposal of suits, I think everybody ought to welcome this Bill. I think that, to some extent, this Bill will help to expedite the disposal of suits. The increase of small cause jurisdiction of Munsiffs to Rs. 200 will, to a considerable extent, hasten the disposal of suits. If the courts would only apply the summary procedure with regard to these suits, I am sure these suits would not drag on for more than 6 months at the most.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Has he any objection to the small cause jurisdiction of Munsiffs being raised to Rs. 500 ?

MR. ANTONY GEORGE (*Nominated*) : I am not now concerned with that ; the Bill does not provide for that.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Will that not expedite business further ?

MR. ANTONY GEORGE (*Nominated*) : I would have considered that question if the Bill had provided for that. There are too many suits ranging between Rs 100 and Rs. 200.

MR. K. C. ABRAHAM (*Kottayam II*) : May I ask whether there are not courts with small cause jurisdiction to the extent of Rs. 2,000 ?

MR. ANTONY GEORGE (*Nominated*) : I know that.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What is the pay and status of the Judges who have small cause jurisdiction up to Rs. 2,000 ?

MR. ANTONY GEORGE (*Nominated*) : I have no objection to the status of our Munsiffs being raised.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : May I ask whether those judicial officers who have small cause jurisdiction up to Rs 2,000 are called 'Judges' or 'Munsiffs' ?

MR ANTONY GEORGE (*Nominated*) : They are called Small Cause Judges.

And then, Sir, in regard to the argument that for Travancore conditions, Rs. 200 is a big amount to be dealt with by courts in a summary manner, Rs. 200 is a big amount not only for Travancore. For the average man in any part of India, Rs. 200 is a big enough amount. We have to fix the limit somewhere ; and the limit now fixed is not so high as to cause any apprehension to the litigant public,

But I would say that the litigant public would stand to gain by the adoption of this speedy and quick method of disposal with regard to the small cause suits.

As for the loss of the right of appeal to the High Court, it is not of much consequence either. The High Court has got revisional powers to remedy that defect.

With regard to the increase in jursidiction of the Munsiffs on the original side to Rs. 2,500, I think of course that it is not going to do such havoc as some of the members are afraid it will. Now they are trying suits of to Rs. 2,000, and by an addition of Rs. 500, these suits are not going to be more formidable or more complicated than they are already.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): ഇതുകൊണ്ടു ഡിസ്ട്രിക്ററ് ജഡ്ജിമാരുടെ ജോലി കറയുന്നതിനും മുൻസിഫന്മാരുടെ ജോലികൂടുന്നതിനും സംഗതിയാവുകയില്ലേ?

MR. ANTONY GEORGE (*Nominated*): സംഗതിയായേക്കും.

The addition of Rs. 500 is not going to change the nature of the suits, nor is it going to make it so formidable or complicated as to be beyond the powers of these Munsiffs to try and dispose of. The ability and the legal acumen found sufficient for the decision of suits up to the value of Rs. 2,000 would certainly stand the strain of an additional Rs. 500.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If the jurisdiction is raised to Rs. 2,500, will not suits for the removal of Trustees and Managers have to be tried by the District Munsiffs ?

MR. ANTONY GEORGE (*Nominated*): By all means let them try those suits.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Are they not suits of a different character from those tried by the Munsiffs at present ?

MR. ANTONY GEORGE (*Nominated*): The present Munsiffs are quite efficient for that purpose also.

With regard to the provision for appeal in respect of suits on the original side from the Munsiffs' Courts to the District Courts, it is only a quite sensible provision. Now these District Judges are found to sit in judgment over appeals in suits up to the value of Rs. 1,000 and I do not find any reason why they should not be allowed to decide cases up to Rs. 2,500 coming on appeal and the principles involved in such cases would also be practically the same. There is also the safeguard of a second appeal to the High Court.

Then there is the provision for an Admission Court and this will be of great help. The appointment of the seventh Judge, though much to the displeasure of this House, will go a great way to reduce these accumulations of cases in the High Court which have now become a feature. If a proper Admission Court is established, I am sure the accumulation will be brought down considerably. So this Bill is going to help materially in the expeditious disposal of the suits. I therefore support the general principle of the Bill.

DEPUTY PRESIDENT: Mr. Changanachery Paramesvaran Pillai.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : Sir, I did not wish to speak on this matter but, still, as my name has been mentioned by the Deputy President, I do not want to sit quiet. I am in a peculiarly delicate situation in regard to this particular measure, because in some other capacity I had to commit myself to a particular view. Although in my present capacity it is open to me to take a different view, still circumstances have not been such as to enable me to change the opinion once formed by me about this matter.

The object of this measure is to relieve the High Court and the District Courts of much of the congestion of work which they suffer from and to expedite the disposal of cases, especially, of arrears. I did not hear from any of the members who spoke before me that the present measure is not likely to give relief to the High Court at any rate. The measure is certainly intended to give relief to the High Court and in effect it will certainly give such relief because it will reduce the number of appeal cases on the file of the High Court every year. Similarly, in regard to the District Courts also, although there is the provision that all appeals from the Munsiff's Courts will lie to the District Courts, there are other provisions in the Bill which would give some measure of relief to the District and Sessions Courts as well. So far as the Munsiff's Courts are concerned, the provision that all suits above the value of Rs. 2,000 and up to Rs. 2,500 on the original side may be attended by the Munsiffs is likely to increase a little of their work. The general increase in the small cause jurisdiction of the Munsiffs will outweigh that increase and therefore it is likely that some amount of relief will be given even to the Munsiffs by this measure.

Two objections have been taken to this Bill, one is that a more comprehensive proposal should be made by the Government, apparently including all the proposals of the Law's Delays Officer for giving relief to and reducing the suits on the file of the courts. Another is the dissatisfaction felt by the members of this House in regard to the general capacity of the Judicial Officers of the State, especially of the Munsiffs.

In regard to the first objection, namely, that a more comprehensive scheme should be proposed, of course it will be very good if a more comprehensive scheme might be proposed. That scheme, I think, is contained in the Law's Delays Officer's report itself and that may be taken as a very comprehensive scheme for coping with the ever increasing file in the courts and for helping the speedy administration of justice. But in regard to legislation, it can be taken up only one after another as they have done in this case, and in this matter the Law Member has subjected himself to Mr. S. J. Nair's criticism that he has put into this Bill amendments to three different Regulations already. According to Mr. S. J. Nair, this Bill should itself have been divided into three different proposals, one for amending the High Court Regulation, another for amending the Civil Courts Regulation and another for amending the Civil Procedure Code, and therefore a full and comprehensive scheme is impossible so far as legislation is concerned.

Next is the complaint about the recruitment of Judicial Officers and the general level of their capacity. Now, Sir, in regard to this matter I do not hold any brief for the Judicial Officers or for the Government in so far as the recruitment is concerned. But I may say, Sir, one thing, and that is it has been the practice of every generation to detract from the capacity of the officers of that particular generation. I have experience of this during the thirty-three years of my experience at the Bar and as a Judge. In every period there has been complaint about the capacity of the officers. When I started practice the same objections were raised to recruitment and the same objections were raised in regard to the capacity of the Munsiffs. When the small cause jurisdiction of the Munsiffs was proposed to be raised from Rs. 50 to Rs. 100, the same objections were raised. So that, that is an objection which we generally raise whenever the raising of jurisdiction of Judicial Officers is brought before the Council. Of course, it cannot be said that every time the people are satisfied with the nature of the officers or the capacity of the officers appointed, but it so happens that, nevertheless, things somehow get on in a way. So far as the capacity of the Munsiffs is concerned, personally speaking, I am very much dissatisfied with the work of many Munsiffs. (Mr. Damodaran Asan: *Hear, hear*). But that does not mean that the average work of the Munsiffs is very bad. We have got very good Munsiffs, we have got indifferent Munsiffs and we have got very bad Munsiffs too. But on the average, they are as good, I should say, as they were thirty years ago or even better. If they can be entrusted with pecuniary jurisdiction up to Rs. 2,000 on the original side, I do not see any reason why they should not be given jurisdiction up to Rs. 2,500. Rs. 500 more does not make much difference in the nature of the suits they may have to try.

As regards the raising of the small cause jurisdiction of the Munsiffs, I think it will be better to give effect to the recommendation of the Law's Delays Commissioner, that is to say, not to give this power to all the Munsifts indiscriminately, but to leave the discretion with the High Court of recommending which of the Munsiffs might be entrusted with this power and to invest those Munsiffs with that power.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*). മുൻസിഫന്മാരെ സ്ഥലംമാറുന്നഅവസരത്തിൽ പിന്നെയും കേസ്സുകളുടെ സ്വഭാവം മാറി വരികയില്ലേ?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Yes, this is not the first instance. Formerly also, when the small cause jurisdiction was raised from Rs. 50 to Rs 100, all the Munsiffs were not given the same jurisdiction, but certain Munsiffs were selected for that purpose and, when you select, of course the incident referred to by my friend will occur, but that is inevitable and it does not matter very much. What the Law's Delays Officer recommends is that the Munsiffs in some of the District Court centres might be invested with this power. I think that might be done and the question of raising generally the small cause jurisdiction of the Munsiffs

[Mr. Changanachery K. Paramesvaran Pillai.]

might be deferred to a later and more suitable occasion. But so far as it is concerned at present, I think it might be better to restrict it to the very best Munsiffs and the most experienced of them. That is all, Sir, I wish to say on this subject.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Sir, the present proposal is an attempt, so far it goes, on the part of Government, to combat law's delays of which we hear so much. Whether this is the best step to be put forward or not, is not the question. Whether this will go any way at all towards the solution of the problem is the question that we have to consider. Viewed in that light we have got the opinion not only of the Law's Delays Officer in Travancore but also of the Civil Justice Committee in British India backed by the opinion of the High Court of Travancore and adopted by the Travancore Government now, that this is one contrivance to combat the question of law's delays Therefore, I am of opinion that *in limine* we shall not be justified in rejecting this Bill. At the same time I have to make a few observations as to my position in the matter.

As for the administration of justice, rather the successful administration of justice, the main criterion is the confidence of the public in the work done by the judiciary. That is the test to be kept in view. In the present instance, therefore, how far public confidence may be maintained or secured in regard to the changes now proposed should be the issue for consideration. It may be that some of the Munsiffs will be able to do the work proposed to be assigned to them quite satisfactorily. But whether all the Munsiffs, if similarly empowered, would keep up public confidence is open to question. How the public would view the changes is a consideration which we cannot afford to ignore. Certain observations were made with respect to judicial officers, especially the Munsiffs, to the effect that they are as a class inefficient. That is probably, as my friend Mr. Changanachery Paramesvaran Pillai put it, too sweeping a remark. It may be that some of them are not able to prepare their judgments in an appeal-proof way, or, as it is said, in such a way as to strengthen their judgments to withstand the battery at the appellate stage. It does not mean that they are corrupt officers. It may even be that their conclusions are correct. The appellate court looks at the result in its relation to the *modus operandi*, adherence to legal procedure and so forth. Some subordinate officers lose sight of these requirements. It does not follow barely from the number of reversals that any given officer cannot be entrusted with more serious work. At the same time, let me add that I have seen criticisms upon the Civil Justice Committee's report by a learned gentleman in British India in regard to the raising of pecuniary jurisdiction. One such criticism is this. In up-country centres it would be difficult to obtain proper legal advice such as to produce confidence when the interests involved become more serious. For example, in a place like Thodupuzha, if litigation arises about a property worth Rs. 2,500 involving intricate questions, it may be

difficult to get local legal advisers of an assuring type. But in a place like Trivandrum, we get a number of able legal advisors.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): May I know whether the member had an opportunity of inspecting the Thodupuzha Munsiff's Court?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): No, I had not.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): Does the member think that arrears in Todupuzha or in any other courts are due to want of proper legal advice?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Arrears are due to other causes also; to some extent, legal advice also contributes its share.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ശരിയായ തീൎപ്പു ണ്ടാകാത്തതു് ലീഗൽ അഡ്വൈസിന്റെ ദൗൎല്ലഭ്യമൊ ജഡ്ജസ്സിന്റെ ദൗൎല്ലഭ്യമോ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May be due to both and other factors.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does not the member expect that graduates in law practising in the various District Court centres would proceed to the Munsiffs' Courts when the jurisdiction of the latter Courts are increased?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I am coming to that.

In the Calcutta Weekly Notes Vol. XXIX, it is pointed out by a contributor that the need for efficient legal advice grows with the rise in the pecuniary interests involved. When therefore the parties are not anxious on account of legal advice, an increase in pecuniary jurisdiction may be attempted but in places far out of the way where reliable legal advice is scarce or where libraries are not available, a rise in pecuniary jurisdiction will create trouble and lead to expenses on the part of the litigants. The Civil Justice Committee in British India, when they proposed raising the jurisdiction of Munsiffs to Rs. 5,000, were particular in pointing out the need of selecting proper Munsiffs to be entrusted with the higher pecuniary jurisdiction. I therefore agree with the critic quoted by me and suggest that here in Travancore also we have to be rather discreet in the first instance as regards the officers we want to invest with higher jurisdiction.

MR. S. J. NAIR (*Nedumangad*): May I know from the member how better Munsiffs can be selected?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): The proper authority is the High Court and the High Court can make a selection. If they would throw away communal and emotional considerations and make up their minds to be guided by standards of efficiency and character, a batch of higher grade Munsiffs can be selected.

MR. A. THANU PILLAI (*Trivandrum-Rural*): What will be the proportion of such Munsiffs now in service to the total number?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): That is a difficult question to answer just now. I have not thought of it.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ശരിയായ ലീഗൽ അഡൈ്വസ് ഉണ്ടായിരുന്നാലും ജഡ്ജിമാർ ശരിയായിരുന്നില്ലെങ്കിൽ ന്യായമായ തിർച്ചകിട്ടുമോ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): That is a question to which the answer is plain.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഒരാളിന്റെ പ്രാക്ടിസിനെ പരിഗണിക്കാതെ വയസിനെമാത്രം നോക്കി മുൻസിപ്പായിട്ടും ജഡ്ജിയായിട്ടും നിയമിക്കുന്നതു ശരിയാണോ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): വയസ്സുമാത്രം നോക്കി മുൻസിപ്പായിട്ടും ജഡ്ജിയായിട്ടും നിയമിച്ചതായി ഞാൻ അറിഞ്ഞിട്ടില്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഇത്ര വയസ്സുചെന്നയാളിനേ മുൻസിപ്പായിട്ടും ജഡ്ജിയായിട്ടും നിയമിക്കാൻ പാടുള്ളു എന്ന റൂൾ ഉണ്ടല്ലോ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): * വയസ്സിന്റെ താരതമ്യമനുസരിച്ചു മാത്രമെ മുൻസിപ്പായും ജഡ്ജിയായും നിയമിക്കാവു എന്നോ മറ്റോ ഒരു തത്വമുള്ളതായിട്ടു ശ്രീമാൻ ടി. പി. വേലായുധൻ പിള്ള പറഞ്ഞതായിട്ടു ഞാൻ വിചാരിച്ചുപോയി.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Is it possible to select Munsiffs in this manner *i. e.*, having regard to the percentage of confirmations of their decisions?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): That is one consideration. That cannot be the sole criterion. Some Munsiffs have good reputation; some bad reputation. The learned judges of the High Court know that or should know that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): At the periodical inspection of the Munsiffs' Courts, if the learned Judge goes through the records of certain important cases, can he not know whether the Munsiff can be given enhanced jurisdiction?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): That is no doubt one process for a selection.

Then another question that has been raised is with respect to the appellate jurisdiction by investing the District Court with exclusive appellate jurisdiction over the work of the Munsiffs. I think it rather difficult to accept that suggestion. The necessity that the High Court

should be kept in touch with the work carried on by the Munsiffs is obviously there and one method of giving an opportunity to the High Court to understand the work of the Munsiffs is to allow some appeals to the High Court. That is desirable in another respect also, as it will tend to cheapen the cost of justice. Every appeal from a Munsiff's decision will have to go, according to the Bill, to the intermediate District Court and then to the High Court. When they reach the High Court, many of the appeals would become lean under concurrent findings. Secondly it is always good if it is open to the litigant to secure the cheapest administration of justice before the best Judges available. Such a method as far as possible should be preferred. So if it is possible to get the High Court hear as many appeals as possible, that would be the best arrangement. No doubt, if we push it too far, we should considerably increase the judges of the High Court. That means money. Therefore a limit has to be drawn somewhere. This idea to invest the District Court with exclusive jurisdiction to hear appeals from the Munsiffs does not commend itself to me.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Do you favour any extension in the present appellate jurisdiction of District Judges?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Any considerable rise I am not quite in a position to accept. If above Rs. 1,000 appeals are admitted to the High Court, an intermediary appellate Court, like the District Court, may be left free to pursue its original work. If the Government are very particular that some relief should be given to the High Court, the upper limit of the appellate jurisdiction of the District Court may be fixed at Rs. 1,250 or so.

Then there is the question of raising the small cause jurisdiction. That seems to electrify the public to a considerable extent. No doubt, it has been pointed out that there are small cause courts elsewhere with very high jurisdiction. There also it is a question of public confidence and a sense of security in the officer concerned. The Officer who exercises such jurisdiction gets a higher pay than our High Court Judges Let us consider further the question of Rs. 200 small cause jurisdiction. Rs. 200 is the minimum pay of a munsiff. So far as his pay is concerned, it is not a light amount. So far as ordinary people are concerned, Rs. 200 in the present circumstances is by no means a trifle. The economic condition of the people is such. So it is quite natural that people will feel much anxiety about the non-appealable summary judgments of Munsiffs in these cases. Appealability is the greatest check on waywardness. When that is removed, the play of erratic factors increases. So the advisability of raising the small cause jurisdiction to Rs. 200 requires further examination. The suggestion was made by the Law's Delays Committee at a time when economic depression was not so keen. So the difference in the circumstances also comes in for some consideration.

Then with regard to the efficiency of Munsiffs. The more the schoolmaster is abroad and the legal profession spreads, the less would

[Mr. P. K. Narayana Pillai.]

be the estimate of efficiency. It is therefore quite possible that the public will not be inclined to over-estimate the capacity of officers. It is after all a comparative statement of public opinion in regard to the level of the bar viewed in relation to the capacity of an officer who presides over a court of law. Therefore much depends upon the method of recruitment which is at the root of the question of efficiency. The mechanical way of recruitment and promotion adopted by the High Court calls for some modification.

Modifications in appellate jurisdiction or the raising of small cause jurisdiction cannot give immediate relief to the courts because the suits already filed have an inherent right of appeal vested in them. At least for three or four years to come, no relief on the appellate side can be expected as the suits pending in the Munsiffs' Courts carry with them a right of appeal. Similarly it would take some time before the suits up to the value of Rs. 2,500 mature into the stage of appeals.

Therefore, while I am at one with some other friends on this side of the House that the Bill should not be dismissed at this stage, I request my learned friend Mr. Kayalam Paramesvaran Pillai to be so good as to allow the members of the Select Committee a free hand in shaping the course of this Bill, on ascertaining as far as possible the views of the public, so that the public may have confidence in the modified system of judicial administration we propose to inaugurate.

DEPUTY PRESIDENT: If the House is agreeable, we shall go on till about 1·30, for about 15 minutes more than usual, and meet again at 2 so that the lunch interval need be only half an hour today.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes, Sir.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Yes, Sir.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Instead of cutting short the interval, we can rather sit a little later in the evening, Sir.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): We have only half-an-hour more for this business.

The House adjourned at 1·17 P. M. and re-assembled at 2 P. M.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സർ, എന്റെ പ്രസംഗത്തിൽ വ്യക്തമാകുന്ന വ്യത്യസ്തങ്ങൾക്കധീനനായി ഈ ബില്ലിൽ അന്തർഭവിച്ചിട്ടുള്ള സാമാന്യതത്വങ്ങളോടുകൂടി ഞാൻ പൂർണ്ണമായി യോജിച്ചുകൊള്ളുന്നു. മുൻസീഫന്മാർക്കു സ്മാൾകാസ് കേസുകളെ സംബന്ധിച്ചുള്ള അധികാരം നൂറുരൂപായിൽ നിന്നു ഇരുനൂറുരൂപാ വരെ വർദ്ധിപ്പിക്കണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ അശേഷം യോജിക്കുന്നില്ല. അതു ജനസാമാന്യത്തിനു വളരെ സങ്കടത്തിനു കാരണമായിത്തീരുന്നതാണ്. ഇപ്പോൾ സ്മാൾകാസ് കേസുകളിൽ വിധി എഴുതുന്നതിന്റെ സ്വഭാവം കേവലം അപൂർണ്ണവും അവ്യക്ത

വും തന്നിമിത്തം കക്ഷികൾക്ക സങ്കടകരവുമായിരിക്കുന്നതിനാൽ റിവിഷൻകൊടുത്തു അതിന്മേൽ തീർച്ച കല്പിക്കേണ്ടിവരുന്ന അവസരങ്ങളിൽ ഏതു തത്വത്തെ ആസ്പദമാക്കിയാണ് ആദ്യതീർച്ചയുണ്ടായിട്ടുള്ളതെന്നറിയുന്നതിനു യാതൊരു മാൎഗ്ഗവും ഇല്ലാതിരിക്കുന്നു. സ്മാൾകാസുകേസുകളിൽ വിധി എഴുതേണ്ടരീതിയെ സംബന്ധിച്ചുള്ള സിവിൽ പ്രൊസീഡിയർ കോഡിലെ വ്യവസ്ഥയുടെ ദൂഷ്യംകൊണ്ടാണ് ഈ വിധമുള്ള അനാശാസ്യഫലങ്ങൾക്കും പൊതുജനസങ്കടത്തിനും കാരണമാകുന്നത്. സ്മാൾകാസുജ്യൂറിസ്ഡിക്ഷൻ വർദ്ധിപ്പിക്കേണ്ടതു അത്യാവശ്യമാണെന്നു തോന്നുന്നു എങ്കിൽ വിധി എഴുതുന്ന കാൎയ്യത്തിൽ ഇപ്പോഴത്തെക്കാൾ കൂടുതൽ ശ്രദ്ധപതിപ്പിക്കണം കേസിൽ ഹാജരാക്കിയിട്ടുള്ള തെളിവുകളെ ശരിയായി വിമർശനംചെയ്തു ഏതുകാരണത്താൽ എന്തിനെ ആസ്പദമാക്കിയാണ് ഒരു നിർദ്ദിഷ്ടമായ അഭിപ്രായരൂപീകരണം ഉണ്ടായതെന്നു സ്പഷ്ടമായിഅറിയുന്നതിനു പൎയ്യാപ്തമായവിധം ജഡ്ജ്മെൻറു സ്പഷ്ടമായി എഴുതുകയും ഈ വിധത്തിൽ മാത്രമെ ജഡ്ജമെൻറു എഴുതാവൂ എന്നു സിവിൽപ്രൊസീഡിയർ കോഡിൽ അവശ്യംവേണ്ട ഭേദഗതിചെയ്കയും ചെയ്യേണ്ടതാണ്. അങ്ങിനെ ചെയ്താൽ അധികാരം വർദ്ധിപ്പിക്കുന്നതുകൊണ്ടു തരക്കേടില്ല.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*) മിസ്റ്റർ വേലായുധൻപിള്ള നിർദ്ദേശിക്കുന്ന വ്യത്യസ്തം വരുത്തുമ്പോൾ എന്തുഭേദഗതിയാണ് ഉണ്ടാകുന്നതെന്ന് അറിയാമോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ചില സംഗതികളിൽ അങ്ങിനെ വ്യത്യസ്തം വരുമായിരിക്കാം.

മുൻസിഫന്മാൎക്ക ൨൫൦൦ രൂപാവരെ സലയുള്ള കേസുകൾ വിസ്തരിക്കുന്നതിന് അധികാരംകൊടുക്കുന്നതുകൊണ്ടു പൊതുജനങ്ങൾക്ക യാതൊരുദൂഷ്യവും ഉണ്ടാകാനില്ലെന്നാണു ഞാൻ പൂർണ്ണമായി വിശ്വസിക്കുന്നതു്. ൨,൦൦൦ രൂപാ വരെ സലയുള്ളകേസുകൾ വിസ്തരിക്കുന്നതിനു ഒരു മുൻസിഫിനു അധികാരംകൊടുക്കാമെങ്കിൽ ൨൫൦൦ രൂപാ വരെ സലയുള്ള കേസുകൾവിസ്തരിക്കുന്നതിനു അധികാരം ആ മുൻസിഫിനു കൊടുത്തുകൂടാ എന്നു പറയുന്നതിൻെറ അൎത്ഥം മനസ്സിലാകുന്നില്ല.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): മൂവായിരം രൂപാ സലയുള്ള കേസ് വിസ്തരിക്കുന്നതിന് അധികാരം കൊടുക്കുന്നതുകൊണ്ടു തരക്കേടുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഒരു തരക്കേടുമില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): എത്രരൂപാവരെ സലയുള്ള കേസുകൾ വിസ്തരിക്കാൻ അധികാരംകൊടുത്താൽ തരക്കേടുണ്ടെന്നു പറയാമോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അതിനെപ്പറ്റി എന്റെ പ്രസംഗത്തിനുശേഷം പറയാം.

കേസിന്റെ സലയുടെ സ്വഭാവം അനുസരിച്ചല്ല കേസിൽ അന്തർഭവിക്കുന്ന വാദമുഖങ്ങളുടെ ഗൌരവം സ്ഥിതിചെയ്യുന്നതു്. രണ്ടായിരംരൂപാവരെ സലയുള്ള കേസിൽ അന്തർഭവിച്ചിരിക്കുന്ന ഗൌരവതരങ്ങളായ വാദമുഖങ്ങൾതന്നെയായിരിക്കും, സാമാന്യേന ൨,൫൦൦ രൂപ സലയുള്ള കേസുകൾക്കും ഉള്ളതു്. അതിനു വ്യത്യസ്തമായിവരുന്നതു വളരെ അപൂർവമാണു്. അതുകൊണ്ടു സല ൨,൫൦൦ രൂപാവരെ ആക്കുന്നതുകൊണ്ടു് തകരാറു ഒന്നുംതന്നെ വരാനില്ല.

൨,൫൦൦ രൂപായിൽ കൂടുതൽ സലയുള്ള കേസുകൾ വിസ്തരിക്കുന്നതു് ഡിസ്ത്രിക്ട്കോടതിയിലെ സെക്കൻറു ജഡ്ജിയാണു്. നാല്പതു വയസ്സിനു താഴെയുള്ള ഒരു ഹൈക്കോടതിവക്കീലിനെയാണു് ഇപ്പോൾ ബാറിൽനിന്നു സെക്കൻറുജഡ്ജിയായി നിയമിച്ചുവരുന്നതു്. ഇതു വളരെ ആക്ഷേപാർഹമായ റിക്രൂട്ട്മെൻറാണു്. വയസ്സിന്റെ ക്ലിപ്തതയും ഹൈക്കോടതിവക്കീലും ആയിരിക്കണമെന്നല്ലാതെ ആ ആളിനു് എത്രത്തോളം പ്രാക്ടീസ് ഉണ്ടായിരുന്നുഎന്നോ നിയമപരിജ്ഞാനവും ലോകപരിചയവും മനസ്സിലാക്കി തൻനിമിത്തമുള്ള പ്രായോഗിക പരിജ്ഞാനം എത്രയുണ്ടായിരുന്നു എന്നോ ഉള്ള സംഗതികളെപ്പററി ഹൈക്കോടതി ശരിയായവിധത്തിൽ പരിഗണിക്കുന്നില്ല. നാല്പതുവയസ്സിനുതാഴെയായി ഹൈക്കോടതിയിൽ പ്രാക്ടീസ്ചെയ്തിരുന്ന ഒരാളിനെ സെക്കൻറുജഡ്ജിയാക്കുമ്പോൾ എത്ര സലയുള്ള കേസുകളും വിസ്തരിക്കാമെന്നുള്ള അധികാരംകൊടുക്കുകയാണെങ്കിൽ ൨,൫൦൦ രൂപാവരെ സലയുള്ള കേസുകൾ വിസ്തരിക്കുന്നതിനു് ഒരു മുൻസിഫിനു് എന്തുകൊണ്ടു അധികാരം കൊടുത്തുകൂടാ.

MR. N. E. VARUGHESE (*Thiruvalla I*): വയസ്സുമാത്രംനോക്കി നിയമപരിജ്ഞാനവും മററുയോഗ്യതകളും ഇല്ലാത്ത ആരെയെങ്കിലും അങ്ങിനെ നിയമിച്ചിട്ടുണ്ടോ?

MR. T. P. VALAYUDHAN PILLAI (*Thiruvalla III*) വ്യക്തിപരമായ എന്തെങ്കിലും സമാധാനംപറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല.

MR: A. EASWARA PLLLAI (*Kottarakara*): ഒരുജഡ്‌ജിയുടെ പ്രാപ്തി ബാറിൽഉണ്ടായിരുന്ന പ്രാക്ടീസിന്റെ കൂടുതലിനെ അനുസരിച്ചാണോ നിർണ്ണയിക്കുന്നതു്?

MR. T. P. VELAYUDHAN PILLAI (*Thiruvalla III*) ഒരു ജഡ്‌ജിയുടെ പ്രാപ്തി ഭൂരിഭാഗവും ആ ആളിനു ബാറിൽഉണ്ടായിരുന്ന പ്രാക്ടീസും അതിന്നനുരൂപമായ മററുസൽഗുണങ്ങളും അനുസരിച്ചാണ് നിർണ്ണയിക്കുന്നതു്.

MR. A. EASWARA PILLAI (*Kottarakara*) : വക്കീലിന്റെയുംജഡ്ജിയുടേയും ജോലിയുടെ സ്വഭാവം ഒരുപോലെയാണോ?

MR. T.P. VELAYUDHAN PILLAI (*Thiruvalla III*) സാമാന്യമായിഎല്ലാവക്കും അറിവുള്ള സംഗതിയാകയാൽ അതിനു സമാധാനം പറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. ഒരു മുൻസിഫ്‌ ൨൫൦൦ രൂപാവരെ സലയുള്ള കേസുകൾ വിസ്തരിച്ചുവിധിക്കുന്നതിൽ ആക്ഷേപംഉണ്ടെങ്കിൽ ആക്ഷേപം ഉള്ള ഏതെങ്കിലും കക്ഷിക്കു വിധിയിന്മേൽ അപ്പീൽ കൊടുക്കാവുന്നതാണ്. അതുകൊണ്ടും ൨൫൦൦ രൂപാസലയുള്ള കേസുവിസ്തരിക്കുന്നതിനു മുൻസിഫിനു അധികാരം കൊടുക്കണമെന്നു ഈ ബില്ലിൽ നിശ്ചയിച്ചിരിക്കുന്നതു ഒരിക്കലും ആക്ഷേപകരമല്ല. മുൻസിഫ് കോടതിവിധിയിന്മേലുള്ള എല്ലാ അപ്പീലുകളും ഡിസ്ട്രിക്ട് കോടതിയിൽ കൊടുക്കണമെന്നു പറയുന്നുണ്ട്. എന്നാൽ ആയിരംരൂപായിൽ കൂടുതൽ സലയുള്ളകേസുകൾ നേരിട്ടു ഹൈക്കോടതിയിൽ അപ്പീൽ കൊടുക്കുന്ന ഇപ്പോഴത്തെ നയംതന്നെ തുടന്നുകൊണ്ടുപോകേണ്ടതു അത്യാവശ്യമാണ്. അതിനു വ്യത്യാസം വരുത്തണമെങ്കിൽ ബില്ലിൽ ചില ഭേദഗതിചെയ്യേണ്ടതു അത്യാവശ്യമാണ്. അഡമിഷൻ കോടതി ഇപ്പോൾ ക്വസ്റ്റ്യൻഅഫ് ഫാക്ററ്മാത്രമേ പര്യാലോചനാവിഷയമായി എടുക്കുന്നുള്ളു. ആയിരം രൂപായിൽ കൂടുതൽ സലയുള്ള കേസുകളെ സംബന്ധിച്ചെങ്കിലും അഡ്മിഷൻകോടതി ക്വസ്റ്റ്യൻ അഫ് ഫാക്ററും ക്വസ്റ്റ്യൻ അഫ് ലായുംകൂടി പര്യാലോചനക്ക് വിഷയമാക്കേണ്ടതാണ്. എന്നാൽ സങ്കടമുള്ള കക്ഷികൾക്കെല്ലാം അപ്പീൽകൊടുക്കാവുന്നതാണ്. അതിനാൽ ആയിരംരൂപാക്ക്മേൽ സലയുള്ള കേസുകളുടെ അപ്പീൽകൂടി ഡിസ്ട്രിക്ററുകോടതിയിൽ കൊടുക്കണമെന്നുകൂടി നൂതനനിയമത്താൽ ഭേദഗതിചെയ്യണമെന്നുണ്ടെങ്കിൽ ക്വസ്റ്റ്യൻ അഫ് ലാ മാത്രം പര്യാലോചനവിഷയമാക്കാതെ ക്വസ്റ്റ്യൻ അഫ്‌ലായും ഫാക്ററുംകൂടി പര്യാലോചനവിഷയമായി പരിഗണിച്ചു ഇത്തരം കേസുകളിലുണ്ടാകുന്ന തീർച്ചകളിന്മേലുള്ള എല്ലാ അ

[Mr. T. P. Velayudhan Pillai]

പ്പീലുകളും അഡ്മിഷൻകോടതി സ്വീകരിക്കേണ്ടതാണെന്നുകൂടി പ്രത്യക്ഷമായി വ്യവസ്ഥയുണ്ടായിരിക്കേണ്ടതാണ്. സകലകേസുകളും ഹൈക്കോടതിയിൽ അപ്പീൽകൊടുക്കാവുന്നതാണ്, അപ്പീൽ സ്വീകരിക്കുന്നതു് അഡ്മിഷൻകോടതിയുടെ യുക്തമാണ്. മുഴുവൻഫീസ്സും അടച്ചതിനുശേഷം അഡ്മിഷൻകോടതി ക്വസ്റ്റ്യൻ അഫ് ഫാക്റ്റു മാത്രമേനോക്കുന്നുള്ളു. ക്വസ്റ്റ്യൻ അഫ്ലാ ഇല്ല എന്നകാരണം പറഞ്ഞു അപ്പീൽ സ്വീകരിക്കാതെ തള്ളിക്കളയുന്നുവെങ്കിൽ അങ്ങിനെയുള്ള അവസരത്തിൽ മുഴുവൻഫീസും അടച്ചിട്ടുള്ളവക്കു വളരെ സങ്കടമുണ്ടാകുന്നതാണ്. അതിനാൽ അഡ്മിഷൻകോടതിക്കു അപ്പീൽ സ്വീകാര്യയോഗ്യമാണെന്നു അഭിപ്രായപ്പെടുന്നതുവരെ കോട്ടുഫീസ് മുഴുവനും അടക്കാതെ ഒരു പെററിഷൻഫീസ്മാത്രം സ്വീകരിക്കുകയും അപ്പീൽ സ്വീകരിച്ചശേഷം മാത്രം മുഴുവൻഫീസുംഅടയ്ക്കുകയും ചെയ്യത്തക്ക വിധത്തിൽ ഈ ബില്ലിൽ ഒരു പ്രൊവിഷൻ ഉണ്ടാക്കേണ്ടതു അത്യാവശ്യമാണ്. ഈ വ്യത്യാസങ്ങളോടുകൂടി ഈ ബില്ലിൻെറ സാമാന്യതത്വങ്ങളോടു ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു.

MR. K. C. ABRAHAM (*Kottayam II*): I support the principle of this Bill, and that most unreservedly. But, what looms very large in such matters is the fact that we are of an extremely conservative bend of mind due to our legal training and the legal profession that we follow. We are used to ask for precedents or authority for every case that we are asked to argue; we follow what has existed in the past and do not easily think of changes. The discussion here on this measure may, to a very large extent, be commented upon as being conservative. There are some facts which we have to consider very carefully; and, in my view, they are all admitted facts. First of all, Government have stated, in their Report for 1107, that the work of the Munsiffs has been steadily deteriorating. Secondly, there is the fact that the congestion in the District Courts is every day on the increase; and Government observe that they are not able to record their satisfaction of the work of the District Courts. Thirdly, we find that the files even in the Honourable High Court in no way indicate a tendency to reduction. By this Bill, we are now invited to effect some reforms in the law itself and thereby try to work out the arrears and to expedite the disposal of suits to the relief of the litigants. We all agree that some changes are necessary. There was a time when I too was under the impression that there was nothing wrong in the law and that the defect lay in the mode of administering it, in the machinery for the administration of justice. In fact we were under the impression that the whole blame lay on the personnel of the judiciary. Even now, we have had the criticism that the Munsiffs had no business to try small cause suits as

if they were original suits. I have even heard it said that it was the fault of the Legislature to have laid down that in small cause suits only the facts need be determined and findings given. I ask, what else does a "small cause" suit mean? Unless we accept that, there cannot be any distinction between small cause suits and original suits. It has been urged that the enlargement of the small cause jurisdiction of Rs. 200 is inordinate and not quite in the interests of proper administration of justice nor in keeping with the economic condition in Travancore. I have also listened to the suggestion that certain Munsiffs might be entrusted with such enlarged small cause jurisdiction without any hesitation. Therefore, the position seems to be that the raising of jurisdiction by itself is not objectionable but that competent persons must be appointed as judicial officers. Some people seem to be very anxious even to have incompetent and inefficient officers in order that the enhancement of jurisdiction may be legitimately opposed. I submit that there is absolutely no harm in the small cause jurisdiction of Munsiffs being raised to Rs. 200, and that we must have, as Munsiffs, persons who can be safely entrusted with such jurisdiction.

Coming to the question of recruitment to the judiciary, I am not in favour of any recruitment made to satisfy communal or cast craving I would like the Government to insist upon two principal aspects primarily, at least in judicial appointments, *viz.*, character first and efficiency next. (*Hear hear.*)

With regard to the proposal of enhancing the pecuniary jurisdiction of Munsiffs to Rs. 2,500, I can possibly find no objection to it; because, as I submitted at the very outset, we are too conservative in our attitude towards the judiciary, and we are ready to find every possible objection to any change. Likewise with regard to the raising of the appellate jurisdiction of the District Courts. I have heard that in the State of Mysore and in the jurisdictions in British India, first appeals do not generally lie to the High Court direct from the judgments of the Munsiffs.

DEPUTY PRESIDENT: You are saying this as a fact which you know and have not merely heard?

MR. K. C. ABRAHAM (*Kottayam II*): I have only heard it, because I have no direct experience in those jurisdictions, but I know as a matter of fact either from books or otherwise from those who have had experience, that they have absolutely no right of first appeal direct to the High Court from the judgments of the Munsiffs. I have heard some criticisms in this House that the High Court must retain some direct supervisory control over the judgments of the Munsiffs and that can be only when appeals are coming direct to them first. I do not know why the High Court could not make that supervision when the cases come before their Honours in second appeal. If in other States and jurisdictions that is possible, why it should not be possible in this State, I am at a loss to understand.

[Mr. K. C. Abraham.]

With regard to the question of raising the appellate juridiction of the District Court to Rs. 500 in suits of a small cause nature, there can be absolutely no difficulty about that, because the efficiency of our Judicial Officers has considerably improved of late, according to me.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What is the standard by which this efficiency is tested?

MR. K. C. ABRAHAM (*Kottayam II*) : The reasonable standard of a sensible man.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether the standard of Government is unreasonable?

MR. K. C. ABRAHAM (*Kottayam II*) : I am not competent to speak about it. Sir, I was submitting that the raising of the small cause jurisdiction to Rs. 500 in regard to the District Courts can be thoroughly supported on two grounds. Every man who feels himself poor will always have a craving for a right of appeal to the High Court or to have a judgment pronounced by the highest judicial tribunal. That is not what the larger interests of the administration of justice demand. It is always necessary that justice must be close and justice must be cheap. Now, most of the litigants know and vakils also know what the cost of going to the High Court is. Even in a small cause, I do not mean it in the technical sense of a small cause, but rather a small case, there is the charge of printing, paying for other things, the charge of engaging a vakil, etc. If the Judicial Officers of the subordinate courts are quite efficient to give a good judgment in a small case, I cannot understand why the jurisdiction should be denied to them. I think there must be a repose to perpetual litigation. That is one of the aims of law. So far as the interests of the public are concerned, the duty of the legislature is not only to provide for the wishes of the public, but also to educate the public to the extent that we require of them. Therefore, I support the principle of the Bill.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) ; I support the principle of the Bill as introduced by the learned Law Member. Some of the members took serious objection to raising the jurisdiction of the Munsifts in small cause cases from Rs. 100 to Rs. 200. The present day Munsiffs are very inefficient and a few of the Munsiffs are incapable ; and I believe some of them will never become capable. To invest such Munsiffs with summary jurisdiction up to Rs. 200 which is somewhat higher than the average earning of a Travancorean, is very undesirable, and cannot even be dreamt of. But a few of the Munsiffs, who are efficient and are of more than ten years' standing, may be selected so that such powers may be given to them. To invest the District Courts with the first appellate authority over the judgments of the Munsiffs in suits of the value of Rs. 1,000 to 2,500 is very detrimental. I cannot even think of it. It is about thirty-eight years since I have had the necessity of going to the Civil Courts and I had to be a party in several suits. I was never able to get a decree in my favour in the first court, except in one single suit. But I assure the

members that I have succeeded in all my suits in the High Court, where two Judges took part in the hearing of such cases. So, the valuable right which the subjects of His Highness the Maha Raja of Travancore have of getting their suits heard and disposed of by two of the eminent and learned Judges of the High Court can never be taken away. Well, then, how are we to relieve the High Court of the arrears that have accumulated? Two more Judges or even four more Judges may be appointed in the High Court in order to relieve them of this arrear work. We are to lose for that, we the people of Travancore. We are to suffer the consequences of it Allowing the District Judges in the first instance to hear appeals of the value of Rs. 1,000 to Rs. 2,500 and then to have those suits brought up as special appeals, which may be thrown away by a single Judge, is a thing that I cannot even dream of. If the Civil Procedure Code is so amended as to make the High Court hear all suits in special appeal, whether on fact or on law, and if the High Court has power to hear all such suits as special appeals, I have no objection in investing the District Courts with the first appellate authority for all suits filed in the Munsiffs' Courts. If suits to the value of Rs. 1,000 to 2,500 are decided by District Judges concurring with the Munsiffs, how can the people hope to get any relief if the decrees are passed on fact? I remember a certain decision that findings may also be arrived at in several ways. In whatever way findings are arrived at, if the two Courts are of the same opinion on facts, though differing in arguments, even then it is a judgment on concurrent findings, and the Judges of the High Court cannot interfere in such suits. Such a provision cannot even be dreamt of. Now decisions in suits to the value of Rs. 500 of a small cause nature, passed by the District Judge, are to be deemed final. That also is very harmful to the subjects of His Highness the Maha Raja. So, I would request the Law Member to withdraw this Bill and to bring in another Bill so as to safeguard the interest of the subjects of the State and not the interest of the High Court Judges. If not, it will go against the interests of the subjects of the State, if the Bill is passed as it is.

DEPUTY PRESIDENT: So, you oppose the Bill?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): Yes, but I admit that the High Court should be given some relief.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, I oppose the principle underlying this Bill. It is unsound. It is, if I may put it so, like treating the symptoms and not the disease. It is seen from the Statement of Objects and Reasons contained in the Bill and also it is seen from the speech of the learned Law Member that the main object of this Bill is to reduce law's delays. Sir, on account of the abnormal delay caused in our courts, the Government constituted a Commission to go into the whole question and a Report was submitted by the Commission. We find from the Report of the Commission that the causes of the law's delays are many. One important cause for the accumulation of work in courts as well as for law's delays is the steady increase

[Mr. Pacode A. Narayana Pillai],

in the volume of litigation in our country. If we go into the history of litigation in Travancore during the past 50 years, we will find that from decade to decade the numbers have been doubling and sometimes the increase was three times as much as it was in the previous decade and for this steady increase in litigation, of course, there are many causes peculiar to our country.

In this connection, I would refer to a small passage contained in the Administration Report of the year 1045, in which that eminent statesman, Sir T. Madhava Rao, who was then the Dewan of Travancore, refers to the state of litigation in Travancore in these terms. An extract from that is given at page 24 of the Report of the Law's Delays Commission.

> "Taking the number of original suits instituted in the year at 18,600 and the population at 15,00,000, the proportion comes to one suit for every 80 of the population. A few reasons may be indicated for this circumstance. There is a good deal of wealth in the country furnishing matter for judicial controversy Landed property has arisen much in value both owing to natural causes and agrarian securities."

DEPUTY PRESIDENT: Please do not read long passages.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): He has also made this observation—

> "And increased intelligence makes good men more tenacious of their rights and bad men more litigious".

That is the observation made by that eminent statesman more than fifty years ago. There was a steady improvement in the wealth of the country. With regard to the intelligence of the people also, I do not think there was any decline. Of course, people here are very alive to their rights. They fight out all the differences of opinion in the courts of law and our benign Government have been following a policy by which litigants were given very many facilities to have their causes fought out in courts of law.

Then again, there are other causes for delay. One such cause is the accumulation of cases on the file of the various grades of courts. Another cause for the delay is the bad system followed by Government with regard to the recruitment of Judicial Officers. Another cause for delay is the defective system in the territorial jurisdiction of the courts.

For these various causes, the learned Commissioner has suggested so many remedies. If I remember right, the main remedy suggested by the Commissioner in the report to cope with this large volume of litigation is to open more courts. This is one of the main recommendations in the report. The Commissioner recommends that the tone of the judiciary should be improved. The system of recruitment should be improved. Again, with regard to territorial jurisdiction also, the Commissioner has recommended a readjustment. So we have in the report very many recommendations, but it is a surprise to me to find that, leaving out all the important recommendations, one of the recommendations, *viz.*, rearrangement in the pecuniary jurisdiction of

the courts alone is considered. It is that that has now been pitched upon and incorporated in a Bill like this. My submission is, palliatives are always bad and this Bill is nothing less than a palliative. Well, Sir, if we want to see an improvement in the tone and efficiency of the judiciary and in the administration of justice, what we have to do is to read the report as a whole and to introduce comprehensive reforms, and not to introduce, as one of my friends observed some time ago, this sort of piece-meal legislation, which is always bad. Instead of improving the tone in the administration of justice, it will certainly work against that soundness and improvement which every one of us likes to have in the system of administration of justice.

Then again with regard to the specific proposals made in the Bill, I should be excused if I say that the increase in the pecuniary jurisdiction of Munsiffs is not at all safe. Several Munsiffs have recently been appointed and are working. But, of course, as one of the learned Judges in one of his judgments observed, this sum of Rs.100 or Rs. 200, in a large majority of cases, is all the wealth that a man has for his life. We are not to judge the standard of the poor litigant from the standpoint of officers drawing high salaries. We have to look at them from the standpoint of the ordinary man. An ordinary man's whole wealth may be involved in a small cause suit. A small cause suit is summarily disposed of without any detailed examination of witnesses or raising issues in the case. The judicial officer need not give the reasons for his conclusions in the judgment. If we can call it a trial, it is to say the least of it very dangerous, and not at all safe. So my humble suggestion is that the whole Bill, as it is now drafted, is unsound and we should not accept it and we should hold up this sort of legislation for some time to come till our affairs in the economic field and in other directions improve.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I shall not attempt any detailed reply to the discussion we had here on this Bill. There was a suggestion made by two or three on the other side of the House that they will be satisfied if these criticisms are considered and adequate remedy suggested by a Select Committee. I am certainly agreeable to the Select Committee and any improvement may be made in that Committee in the light of the suggestions made here today. I may, however, mention that most of the criticisms made on the floor of this House today were anticipated by the Law's Delays Commissioner and he has given his own view of the matter. He has come to the conclusion that some of these changes were suggested by many of the witnesses who gave evidence before him. In regard to the enhancement of original jurisdiction of the Munsiffs, for instance, the witnesses were unanimous. As for the appellate jurisdiction, many were for enhancing it even up to Rs. 3,000. I shall not however talk long over all these. Every one of the criticisms given here may be considered and sufficient improvements may

[Mr. Kayalam Paramesvaran Pillai.]

be made in the Bill, as I believe that the principles are generally accepted.

DEPUTY PRESIDENT : Does the House agree to the principle of the Bill being accepted.

The House agreed.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I move that the Bill be referred to a Select Committee consisting of :—

1. Deputy President.
2. Messrs. P. K. Narayana Pillai.
3. " A. S. Damodaran Asan
4. " K. C. Abraham
5. " S. Krishna Panickar
6. " S. Nilakanta Pillai
7. Messrs. S. J. Nair
8. " Antony George
9. " K. Padmanabhan
10. " M. K. Janardhana Kamath.
11. " K. Kunjukrishna Pillai.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) ; I second it.

DEPUTY PRESIDENT : The motion is carried. The Committee will submit its report in four months.

We will now proceed to discuss the Report of the Statham Committee. Before Mr. Ramasubba Aiyar is called upon, I may mention that the rules as to time limit were suspended practically. Considering the fact that there is a large number of members desirous of speaking, I propose to allow 5 minutes normally to every member and I appeal to the good sense of the House to make the best use of that time. In exceptional cases, deviation from the rule, may, however, be made.

DEMANDS FOR SUPPLEMENTARY GRANDS (*Contd*)]

EDUCATION

MR. T. P. RAMASUBBA AIYAR (*Nominated*) : Sir, I was dealing the other day with the question of the transfer of departmental schools to private agencies. This is one of the recommendations in the Committee's Report. In regard to that, I was saying that none of the 19 municipalities in the State is now in a fit condition, financially or otherwise, to take up the management of the departmental English schools. In Travancore there are at present no local boards and it would take a long time before they can be formed and the handing over of the departmental schools to them can be thought of. Steps may however be taken to enact a law for the purpose. If it is considered that these departmental schools may be made over to the management of other private agencies, such agencies have not come forward so far

The offer was open to them, as a policy of Government, but has not been availed of. The Committee has suggested that a large saving could be made by giving effect to this proposal. But in the existing state of affairs, there is no possibility of severing Government's connection with the departmental schools either immediately or in the near future. The chances of finding savings in that direction are therefore remote. Other sources of income suggested in the Report are the increase of fees in the higher forms of schools and colleges and the levying of an educational cess. I may at the outset state that enhancement of fees is not going to add to the savings substantially. Moreover, in these days of economic depression, the general public would not welcome such a policy on the part of Government. Therefore the only proposal which has to be seriously considered in this respect is the levy of a cess. Some members have supported this suggestion and I agree with them. This proposal was once made by the Education Expenditure Committee of 1920. Sooner or later, an educational cess will have to be levied. I am therefore in favour of the levy of a cess, but this should be done in proper time, that is when the tension of the present economic depression appreciably decreases. Why I dealt with this point is to make it clear that Government will have to proceed very cautiously before they launch upon large schemes, which involve heavy expenses, in view of the present financial stringency. The sources of income referred to in the Report cannot be had immediately and therefore the money required for such expenditure will have to come from the State exchequer. At present the departmental High Schools are functioning very well and many of them are housed in decent buildings with necessary furniture, which have been given free by the people of the places. The question is whether these can be given away to private agencies in view of the past undertaking and whether there is the real need for it. These are all questions which have to be considered before the transference of departmental schools to private agencies is thought of or given effect to.

I have also to record a word of protest against the utilisation of Devaswom funds for general education.

With regard to the ban on married women, I do not agree with the authors of the Report. General qualification is an essential factor for recruitment to the public service, and recruitment to the public service is a great incentive for girls' education. If marriage is to be a disqualification, then it will tend to retard the progress of female education in the country. Provision may be made for the grant of maternity leave and even leave on loss of pay to them, subject to certain conditions and the rules of departmental discipline may be enforced against them. These safeguards should be enough to maintain minimum efficiency in this work.

In supporting the Committee's recommendation about the constitution of an Advisory Board, I would only suggest that, of the twenty members, a majority of eleven members may be chosen from this House and the State Council together. It will also be advantageous if

[Mr. T. P. Ramasubba Aiyar.]

the members of the Board from each House are left to be elected by the non-official members of the legislative bodies.

I am in general agreement with the other proposals in the Report.

DEPUTY PRESIDENT: Mr. S. J. Nair will read his petition and present it to the House.

MR. S. J. NAIR (*Nedumangad*): Sir, I have the honour to present a petition before this august Assembly, for the first time in the history of this House.

DEPUTY PRESIDENT: You are permitted only to read the petition without any introduction.

MR. S. J. NAIR (*Nedumangad*):

"Whereas the "Report of the Travancore Education Reforms Committee" is now under the consideration of the Assembly, the humble petition of A. S. Sankaranarayana Pillai, Ex-Member, S. M. P. A., Vakil, Nedumangad; S. Krishna Pillai, Ex-Member S. M. P. A., Vakil, Nedumangad; S. Nilakanta Iyer, Ex-Member, S. M. P. A., Vakil, Nedumangad; K. Gopalan Nair, Ex-Member S. M. P. A., Vakil, Nedumangad; and M. Subramonia Pillai, Ex-Member, S. M. P. A., Vazhakottu Kunnumpurathu Veedu, Anad Pakuthi, Nedumangad, showeth that the following suggestions, proposals, and recommendations of the said Committee shall not be given effect to.

The Director of Public Instruction shall not be appointed as the Educational Secretary or an Assistant Secretary to Government, to work directly under the Dewan of the State.

That no officer on a high salary and with the express understanding that he would one day become the Head of the Department, shall be appointed as the Deputy Director of Public Instruction. That an Office Manager, in the Head Master's grade alone need be appointed to help the Director."

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, a point of order. Under Rule 64, the member cannot read the whole petition. Can the member read the whole petition?

MR. S. J. NAIR (*Nedumangad*): Sir, the member is not in order.

DEPUTY PRESIDENT: Material allegations are read by Mr. S. J Nair. He is perfectly in order.

Mr. S. J. Nair, you may go on, but do not give the reasons. Give only the material allegations.

MR. S. J. NAIR (*Nedumangad*):

"No Financial Assistant to the Director, placing him in direct charge of the Accounts Branch of the Director's office, shall be appointed. Instead, an Assistant Account Officer, with a separate staff, may be deputed to work under the Director in the Director's office.

The post of Chief Inspectress of Girls' Schools as such need not be retained; and the additional post of an Assistant Chief Inspectress need not be created.

The appointment of a State Physical Director, with two Assistants, is unnecessary and unserviceable.

The recommendations that the Government should gradually divest itself of the management of a considerable number of departmental institutions in the State, and that it should be the avowed policy of Government in future gradually to withdraw from direct management of Primary Schools are highly prejudicial to the interest and progress of education, and they ought not to be accepted.

The proposals to give grant-in-aid in future for new buildings, for repairs and improvements to buildings, for the purchase of play-grounds and for the erection of hostels, in the case of private agencies, involve unnecessary cost to the State, burden to the people, and "profit-making" in the case of private agencies and they shall not be granted.

No school shall be housed in buildings used for religious purposes.

The suggestions in the Report, that women, employed in the Secondary Schools and the administrative branch in the Education Department, will have to relinquish their profession by reason of their marriage and also that married women shall not be recruited or retained in future in Secondary Schools and in the administrative branch are unreasonable and unnatural and they ought not be accepted.

The suggestions to lengthen the primary course to the 5th class, to ensure the aim of achieving literacy, the fixing of age limit to pupils for admission into a primary school, as five and a half, and the transformation of the existing Vernacular High Schools into Vernacular Training Schools, would adversely affect the Vernacular Education in the State and discourage it. Hence they ought to be rejected. Instead, a competent Committee should revise the syllabus of the Vernacular branch from the 1st to the 9th class. There is no serious objection in abolishing the V. S. L. C. Examination. But, V. H. examination shall be retained. Instead of converting every V. M. School into technically-biased schools, the V. M. School in every taluk should be converted into a Technical School, at the first instance as an experimental measure.

The suggestions for filling up the highest forms in Secondary Schools on a selective basis, by holding an examination, so designed that special minima will be required from pupils who desire to continue the E. S. L. C. course in forms five and six at the end of the IV Form, that no student should be allowed to appear more than twice for the above departmental examination unless he has been obviously handicapped by ill-health, that far larger numbers should be discouraged from aspiring to collegiate education, that the profitless and useless work of "carpentry" should be made compulsory for all boys in English Schools, that religious instruction be permitted in all the Schools, that special fees be levied for games, for reading rooms and

[Mr. S. J. Nair.]

for science, that the managements be given the choice of selecting their own text books from the list of recognised text books; the nature of the constitution of the future Text Book Committee, the suggestion that the Government should gradually hand over the management of its English Schools to aided agencies, that the fee for the arts and science courses should be considerably raised, that the compelling of even those students who have their parents and houses in the locality where the College is located to reside in the hostel attached to the College, and the fixing of the age limit beyond seventeen for admission in the Maha Raja's College are all detrimental to the promotion and progress of higher education in the State. Hence the above suggestions shall not be given effect to.

The suggestion to affiliate the Sanskrit College, Trivandrum, to the Madras University in the *Vidvan* and *Siromani* courses are unnecessary."

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Will there be anything left in the petition, after my friend finishes his statement of what he calls the main allegations in the petition?

DEPUTY PRESIDENT: Mr. S. J. Nair, I have been closely listening to what you read. I would once again point out to you the necessity to mention only the main points in your petition.

MR. S. J. NAIR (*Nedumangad*): Yes, Sir.

"The recommendation that Government should establish an Advisory Education Board with members nominated for a period of years, by itself is of no good. If the Board is to function well and be of use to the people and to the State and help progress and development of education in the land, it should consist of at least eight members from the Assembly and four members from the Council, and the above members ought to be elected from amongst the elected members of the Assembly and the Council. Nedumangad taluk is a backward area in point of education, and, in any event, a member from Nedumangad taluk ought to be in the Advisory Board."

MR. N. E. VARUGHESE (*Tiruvalla I*): ഹർജി വായിക്കാനാണൊ ഇവിടെ അനുവാദംകൊടുത്തിട്ടുള്ളതു്?

DEPUTY PRESIDENT: I wish, Mr. Varughese, you will apologise. The Chair knows what to do.

MR. S. J. NAIR (*Nedumangad*):

"The recommendation that, in the matter of aid to Vernacular Schools, the rates of grant-in-aid should be revised so that the Department will give a grant of Rs. 8 a month to an untrained and Rs. 12 a month to a Trained Teacher is too low and insufficient.

"The recommendation that, in order to assist the Government, in the provision of Revenue for educational purposes, the Government should consider the feasibility of diverting Devaswom funds for educational purposes is most mischievous, unwarranted and uncalled for and it requires to be rejected.

Accordingly the petitioners pray that the above suggestions contained in the Report of the Education Committee, in view of their extraordinary character, retrograde nature and reactionary spirit shall not be accepted."

DEPUTY PRESIDENT: I wish to make a general statement with your leave. In matters like this, when a petition is being read by a responsible member of this House, you may trust the Chair, ordinarily with careful attention, to find out which is relevant and which is not. While thanking individual members for bringing to the notice of the Chair points which, according to them have to be ruled upon, I expect that, in future, on matters of difficulty with regard to relevancy and on matters of procedure under the Rules, there will not be many suggestions from the members, because the certain effect of that will be the prevention of what is allowed by law.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I beg to move to reduce Re. 1 from the sum of Rs. 2,200 now asked for under Education, for T. A. to the members of the Education Advisory Committee. I seek the permission of the Chair to make the motion.

DEPUTY PRESIDENT: I am sorry I cannot give you permission; because, the rules as to time of giving notice have not been complied with.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I speak on the general motion?

DEPUTY PRESIDENT: Certainly.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, the Education Reforms Committee deserves the congratulations of the public for finishing its Report within the prescribed time and for bringing out the many defects in the administration of the Education Department and in the control and supervision exercised by the Education Department over the educational institutions in the state. Government must remember that, in attempting to carry out some of the proposals made in the Report, they must do so only with the approval of the representative institutions in the country.

With regard to the Advisory Board, I agree with some of my friends in thinking that the Advisory Board must consist of a majority of members chosen from among the elected members of this House and of the Council. I do not think it will be safe to entrust the Director also with the duties of a Secretary to Government. I also think that the appointment of a Deputy Director is superfluous and unjustifiable.

With regard to the appointment of a Financial Assistant for the Director's Office, I think that an Officer, of the grade of Superintendent of the Account Office, may be appointed in order to check the malpractices and fraud complained of in the Report.

MR. S. J. NAIR (*Nedumangad*): May I know whether——

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I have only five minutes Sir. Let me first finish my speech, before I think of answering questions.

[Mr. A. S. Damodaran Asan.]

With regard to the proposals regarding Assistant Divisional Inspectors, I think there is no good in having a large number of different cadres of officers with overlapping functions. If the Department insists on having the number of Inspecting Officers they have asked for in the report, let them add to the number of Divisional Inspectors or to the number of Assistant Inspectors.

The main point I want to deal with is the financial aspect of the question. The Committee seems to care only for the financial commitments of the Government. They must remember that, in this matter, additional expenditure has to be incurred by the aided institutions and by the people also. Therefore, we have to ascertain whether the people and the aided institutions are also in a position to meet the financial commitments suggested by the Committee. The Committee suggests that the Government expenditure can be reduced by handing over departmental institutions to private agencies. We have heard a large volume of opinion against that policy; and I am sure that, even if the Department wants to hand over departmental institutions to private agencies, only very few private agencies will come forward to take them up under the conditions laid down in the Report.

DEPUTY PRESIDENT: Time.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I want just five minutes more, Sir.

DEPUTY PRESIDENT: No, I shall allow you two minutes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I shall obey the Chair.

DEPUTY PRESIDENT: You ought to.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The Committee ought to have considered why there was so much literacy in Travancore. The main reason is this. There is a large number of schools throughout the country run at very little cost. When the Director wants the present middle schools to be abolished and vocational bias schools to be created in their place, I wish to know the fees he proposes to levy in the proposed schools. If it is going to be higher than the present rate of fees, I am sure the strength of the schools will go down considerably. (*Louder, please.*) Impossible; I am talking as loud as I can.

I would also like to suggest that it will not be advisable to stop all the present middle schools at one stroke

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir, as it is evidently impossible for me to give a full criticism of the Report within the short time available, I have to limit my observations to some one aspect of it and I think I shall confine my remarks mainly to that particular branch of education with which I am most intimately acquainted, I mean the post-primary and pre-university courses.

The presence in the State of two parallel courses of studies conducted in two parallel sets of institutions, the fall in the efficiency o both, and more especially the most unsatisfactory condition of the Vernacular branch, have been most prominent topics of discussion both in the press and on the platform. There has been practically no difference of opinion as to the state of affairs, though, naturally, there have been divergent suggestions about the reforms to be effected. In this connection I should say that I belong to that "large numbers of persons, including many educationalists who" the Committee say, advocate the amalgamation of the English and Vernacular schools. I know there is a strong volume of opinion against such an amalgamation. Their main contention is that it would be detrimental to Vernacular education. But we are equally emphatic in believing that the only means of saving Vernacular from its present poor plight is to effect an amalgamation, such as we propose. As it is, Vernacular education is being confined to the lowest strata of society, I mean the poorest in money and in brain; and the only way to save it is to bring about an amalgamation so as to give the Vernacular its rightful place in that set of institutions where the best and the brightest gather.

The Committee say that they do not find their way to accede to this proposal. But even after a close study of the Report, I fail to see what else they have done. What is it that we propose? We say, combine the two sets of schools giving Vernacular a more important place than it now occupies in the English Schools, and this will practically mean the using of the Vernacular as the medium of instruction in all the classes and teaching English as an important second language. The scheme would also include a public examination at the end of the middle school. The Committee have actually accepted all these. I do not mean to say that they have accepted all the proposals in *toto*. I shall soon come to that. But in the meanwhile, I have to say that much criticism has been passed on the proposals in the Report and confusion has been caused on account of certain proposals contained therein. One is the proposal to start vocational bias schools. Many critics have been carried away by this proposal. It is not proper to consider the vocational bias schools as the future Vernacular Middle Schools. They are an entirely new set of institutions and I have no doubt that they are a very necessary set of institutions. Another source of confusion is the proposal of the Committee to abolish the Vernacular Middle Schools and High Schools. Taking the Report as a whole, I find that the proposal is meaningless. It is as meaningless as saying that the English Middle Schools and English High Schools are abolished. In a scheme which is practically one of amalgamation, there is no meaning in saying that one set of institutions or the other is abolished. The scheme, therefore, does not recommend the compulsory conversion of all the existing Vernacular schools into vocational bias schools, nor does it recommend the abolition of any set of institutions.

But as I said before, the scheme is by no means complete and I make the following four suggestions:

[Mr. Kainikkara M. Padmanabhan Pillai.]

(1) The new middle schools and high schools should not be called English Middle Schools and English High Schools, but they should be called purely Middle Schools and High Schools.

(2) The existing Vernacular Middle Schools, which wish to convert themselves into the reformed Middle Schools and can do so successfully, should be given the opportunity to make the change, provided, of course, the needs of the locality justify it.

(3) Vernacular must be the medium of instruction in all classes of the High Schools also. The Committee seem to be in favour of it. But they have left it to the choice of the managements and the Head Masters. Now, as the Committee themselves admit, the management and the Head Masters are not even now following the instructions of the Department to use Vernacular as the medium of instruction up to Form II. It does not require very great imagination to see that these veritable Anglicans who would disobey the departmental instructions and administer all subjects in indigestible doses of English to the tenderest children, would not stoop to disgrace themselves by talking in the mother tongue to the pupils of the highest classes.

(4) Fourthly, if the Committee is particular that the public examination should be at the end of the IV Form, I would insist that the middle schools also should end with the IV Form. I want to see that the public examination comes at the end of the actual middle schools and not at the end of an imaginary middle school course. My reason is simple, namely, that otherwise it would leave the middle schools in their present state of irresponsibility. The Committee rightly bewails the fall in the standard of the E. S. L. C. Examination. But the evil has its beginning in the primary schools and its growth in the middle schools. I do not deny the fact that we, the High school teachers, coming as we do at the top of their sleeping heirarchy, have our own share of irresponsibility. But we have the nightmare of a public examination to disturb us in our sleep. The middle schools have no such bogy and the only means of instilling some responsibility into them is to institute a public examination at the end of the middle school course.

I must say one word about managements, because it has an important place in the education of this country. I have read that part of the Report very carefully and I may say that with an amount of self-satisfaction, for it contains every word that I spoke on the topic in the last session; but I have failed to see any effective remedy proposed by the Committee. I would propose the following remedies.

(1) The present procedure of the Government making a contribution to the management and allowing the manager to use it, not to use it or to abuse it must be stopped. The order must be reversed and the manager must be asked to pay his contribution into the treasury and the salary should be disbursed from the treasury. (*Hear, hear.*)

(2) Secondly, the present rule to punish a management committing fraud must be explicitly extended to the teachers also who take part in it. (*Hear, hear.*)

(3) Thirdly, clause 6 of the draft agreement between the management and the teacher, enabling the manager to dispense with the services of the teacher for no cause, should be deleted.

(4) Fourthly, immediate steps should be taken to organise an All Travancore Aided Teachers' Association recognised and patronised by Government.

(5) Fifthly, sectarian and individual managements must be discouraged. About sectarian management I wish to say a word. Of course, the Assembly will not mistake me in what I say, for I myself belong—

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether the member is not an employee in a private school?

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): I have got more schools under me than—

DEPUTY PRESIDENT: Mr. Padmanabhan's question does not seem to be necessary, nor the answer to it.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir, I was saying that I myself belong to a sectarian management. But to me they are at best only necessary evils and should not be encouraged. I have to make only two more observations. I would like to see that Hindi is made a compulsory subject in the middle schools and an optional subject in the high schools. I also wish that the number of holidays be reduced and a practical scheme be made for spending the vacations usefully.

MR. J. M. JOSEPH (*Nominated*): I have a word of praise for the very able and bold Report which the Educational Reforms Committee has brought out and in my opinion, it is a very thorough, impartial and penetrating survey of the present education that is carried on in the State. The defects in the system have been mercilessly exposed and whether it is Government, or the Education Department, or the private management, they have all come in for strictures at the hands of the Committee. Nothing has escaped the argus eye of Mr. Statham and his colleagues; and I think, Sir, that this Report puts forward a well-balanced, complete scheme and I do not know whether we can afford to tinker with it as we like. Also I am sure that, even if at least the major recommendations are accepted and are given effect to, we shall turn a new page and begin a new chapter in the history of education in the State.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether he is the Headmaster of any school?

DEPUTY PRESIDENT: That does not arise.

MR. J. M. JOSEPH (*Nominated*): I admit, Sir, as the Committee itself does, that these changes must be gradually introduced and all reforms must keep a very slow and steady pace.

Coming to vocational schools, Sir, I am sorry, I have got my own misgivings. For, once I was sent, by the management of the school to which I belong, to Madura to attend 15 days' lectures on the Moga

[Mr. J. M. Joseph.]

system and then come back and explain to members of the staff and others in conference, whether it was practicable to give effect to it and teach it in Travancore with profit and success. But I found, and others interested in it also found, member after member, even including responsible people of standing in the educational service, opposing the idea saying that the villagers would look upon it as a ruse to suppress certain sections of the people to deprive them of the benefits of English education and relegate them for ever to the position of hewers of wood and drawers of water, while others would continue to enjoy the benefits of the English education which has given people a position in life and a standing in society, and all the rest of it. That sort of mistrust and suspicion is existing even now in the minds of the people, especially, the villagers. We have therefore to carry them along with us in the new scheme and take them into our confidence.

Besides, I have got other difficulties. I am sorry I have no time to elaborate all those difficulties. But I am afraid that by means of this vocational bias, though it is conceived in the best of intentions as a remedy for removing the evils arising from the present purely literary type of education, they are not going to achieve the success they are expected to, considering the present outlook of the people and the craze for English education, the craze for Government service and the craze also for monthly salaries. When these vocational bias schools bring out their products, I do not know where is the market for their articles and whether these lads can compete with the skilled artisans.

Coming to the aided managements, Sir, I want to say that they came under heavy fire from the non-official guns of this House. Mr. Statham himself, the other day, I was sorry to note, stated that some private managements were guilty in certain things. That may be. In that case I suggest that such managements should be detected and exposed and severely warned. I would even suggest that the names of such managements must be published in the Gazette so that other managements might take warning and conduct themselves properly. I hope these criticisms will open the eyes of the aided managements and do them good so that they might in a more sacred manner carry on the functions that they have taken upon themselves to discharge in the interests of the State.

Now a word about religious instruction, Sir.

DEPUTY PRESIDENT: Your time is up.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Sir, the Report is a very refreshing document both in language and in ideas and I gladly join in congratulating the authors thereof along with the other speakers. The recommendations regarding the reorganisation of the Inspectorate, the extension of primary education to five years, vernacular education and vocational bias schools and technical education, are particularly commendable. The last chapter, giving the suggestions for the cure of unemployment in the State, is really laudable. The Census Commissioner's observation is quoted therein that

"Generally speaking, it may be said that unemployment increases with the increase in literacy."

This, we thought, was a fact which we could not escape. In fact, we had all come to believe that, with the increase in literacy, unemployment would only increase, whereas now we have the assuring hope that after all education need not necessarily lead to unemployment.

One word about religious education which Mr. Joseph desired to deal with, but could not, due to want of time.

DEPUTY PRESIDENT : That is irrelevant.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : My own view about it is that the view advocated in the Report, with some modification, could be accepted.

The complete stopping of religious education, as advocated by certain members of this Assembly, is, in my opinion, wrong. As a matter of fact, there are so many aided institutions in this State where religion is being taught. To tell them now "Do not do it any longer" would create a storm of protest and probably a boycott of the schools. That is the public feeling in the country. I touch upon only the practical aspect of it. The fact is that it is not possible for the State at this juncture to stop teaching religion. But I object to that portion of the proposal in the Report, where it is stated that, with the consent of the parents, children of one community could be taught the religion of another community, by teachers of the latter community. Under no circumstances should the children belonging to one religious faith be taught a different religion in the aided schools That might lead to grave abuses. The consent of the parents may be obtained by making it a condition precedent to the admission of the pupil. By indirect influence, the child might then be proselytised and that may give rise to further complications.

Then, about married women, I believe the recommendations in the Report are the right recommendations. There are so many unemployed unmarried women in the State, and in any event they ought to be preferred to married women. I would only suggest that the divorced and the widowed ladies may be classed as unmarried women for purposes of appointments.

As regards the recommendations in the Report suggesting that Government primary schools may be gradually handed over to private agenies, I cannot agree with them. Government should not initiate a policy that these schools should be left to private managements. On the other hand, it must be the policy of Government to keep primary education always in its own hands. The suggestion that was made by certain members of the Assembly that denominational managements might probably be not competent to conduct these institutions on non-commercial lines, if they are handed over to them, is not unfounded and I agree with the suggestions that were made by Mr. Changanachery Parameswaran Pillai and the other members that those institutions should always be in the hands of the Government.

MR. G. NILAKANTAN (*Nominated*): Sir, I heartily congratulate the Government for having appointed the Educational Reforms Committee and I also congratulate Mr. Statham for the lucid statement he has made in presenting the Report. I will touch upon certain aspects of the Report. Mr. Statham in his speech is rather diffident about the starting of the technological college in the near future. When I read the Report, I was so very glad of the recommendation, but his fear that it will take time for its introduction is disappointing. I beg to submit that it may be quite easily possible, if a modest beginning is made at the start. We have got in Trivandrum, P. W. D. Workshops, Industrial School of Arts, the Sri Mulam Technical Institute, and the Chemical branch of the Industrial Department. All these may be brought under one Director and a modest beginning may be made, not only for research and teaching work being carrid on, but more importantly for manufacture and distribution. A great many industries which are suited to the needs of the country can be carried on. Then again, with regard to the proposal to abolish stipends in the lower grade technical school, I am afraid, it is rather a very retrograde policy. These are given to the members of communities who follow their hereditary profession. They will never be able to get a scientific knowledge of their avocation, if the inducement given as stipends is withdrawn. If the stipends are abolished, I am sure all these schools will be deserted, especially by the students from the weaver and the carpenter classes. As a matter of fact, what the Government should aim at is to give some scientific training to children of the professional class and not to give a smattering of the profession to the literary class. The recommendation made will, I think, lead to unsatisfactory results.

I certainly welcome vocational bias schools. It is feared by some that the introduction of these bias schools will adversely affect the general education of the backward classes. But as Mr. Statham assures that particular attention will be devoted for the education of backward classes, I think that they need not fear that the system of introduction of bias schools will be an obstacle to the advancement of the literary education.

MR. A. EASWARA PILLAI (*Kottarakara*) : Sir, I wish to make one or two observations in regard to vernacular education and technical education in the State. The Committee recognises the importance of imparting instruction in vernacular, but their proposals are not at all conducive to the progress of vernacular education in the State. Their proposals are rather retarding and retrograde. Vernacular education practically stops with primary classes ; and to mitigate the evil the Committee suggests that Malayalam shall be the medium of instruction in English schools. I object to that proposal on two grounds; firstly, according to the Committee the choice of the language for the medium of instruction is left to the managers of these schools who may naturally prefer the English language; and secondly, I object to the proposal on the ground that access to English schools is denied to many of our children. Nearly 80 per cent. of our school going children are not able to go to English schools. So a

vast majority of our people are poor, only rich men can afford to send their children to English schools. My learned friend Mr. Kainikkara Padmanabha Pillai suggested that Malayalam schools may be amalgamated with English schools. I cannot agree with that proposal. My suggestion is that classes I to IX in the Vernacular schools may be retained and English may be taught as a compulsory subject from classes VI to IX, and classes from 1st Form to 4th Form may be abolished in English schools and candidates passing from the IX class public examination should be admitted in the 5th Form. 5th and 6th Forms may be considered as pre-University classes. In these classes, English may be the medium of instruction, and Malayalam may be taught as compulsory subject. The advantage of my suggestion is that the Government can save considerable amount by reducing classes from 1st Form to 4th Form in English schools. People may also be benefited by the reduction of school fees. In regard to technical education, I wish to make one or two suggestions. I am not in favour of any vocational bias classes in Vernacular schools. I may suggest that technical schools may be started in suitable centres after a preliminary survey and in those schools practical instruction in technology, agriculture and industry may be imparted,

MR. A. EASWARA PILLAI (*Kalkulam II*): Sir, I congratulate the authors of the Report for the speedy preparation of the illuminating Report. Apart from a few inconsistencies, the reforms suggested by the authors are sound. The endeavour on their part to entrust the education of the masses of the benign Government of His Highness the Maharaja of Travancore to private agencies, I daresay, is detrimental to the advanced literacy of the State. The authors are aware of the mismanagement of the private agencies and yet I wonder why they recommend such a course. Thus the undue importance given to private management, the appropriation of Devaswom funds, the levy of an educational cess and negligence shown to Vernacular education are some of the salient features against which public feeling is aroused. I hope that due weight will be given to public sentiments.

MR. M. N. NAIR (*Kottayam I*): Sir, I am very sorry that the time which was of no consequence some days back has become very precious today.

DEPUTY PRESIDENT: You must withdraw the statement. Time was always of consequence.

MR. M. N. NAIR (*Kottayam I*): If the President takes objection to the statement, I may say I am only expressing my sorrow. I will apologise if it is objectionable. Sir, my friends may know that I also was once a Vernacular school teacher. It was only 13 years back. Therefore I know all the agony of our seventh class and eighth class students more than many of our friends on this side of the House. Therefore I consider the idea of vocational bias schools one of the most useful suggestions in the Report. I was a teacher 13 years ago and even today many of my students who are helpless and who are not able to find employment either in Government schools or aided schools are hanging after me crying

[Mr .M. N. Nair..]

for employment. Therefore the vocational bias schools will do them some good at least in that respect. About the fees, some members are afraid that the fees will be greater in vocational bias schools. But in the Report it is said that a portion of the fees may be given from the produce of their work in the vocational bias schools. If that may be accomplished, it will do great service to the students. My only difficulty with regard to vocational bias schools and the secondary schools up to the third form has been expressed by my friend Mr. Padmanabha Pillai also. There is a proposal that the students who pass the eighth class may be admitted in the English schools and the students who pass the public examination at the end of 4th Form may be admitted in the vocational bias schools also. Then I do not see the necessity of keeping classes from the Preparatory to the 4th Form, at least even to the 3rd Form. Therefore it is that I said that the schools may be taken away. That will be giving some sort of relief in pecuniary matters also. I am in agreement with almost all the proposals in the Report although I have got my difference of opinion about some of them. Since I have no time to speak in detail about my agreement and the difference, I shall be satisfied in congratulating the committee and I consider its Report a most valuable record. We are not to be afraid of the financial demands proposed in the Committee's Report. We cannot expect to do anything if we are afraid so much about the financial demands. In some part of the Report, recommendations have been made to reduce the expenditure, to hand over the schools to private agencies, or to levy some cess. If we are not going to support either of these, I do not know where we can find money for any reform to be brought in our educational system. The most pressing problem in Travancore how to help the educated unemployment or rather educated helplessness. I think the Report has given a very good solution for this problem. They have recommended diversions, technical schools, vocational bias schools; and they have even restricted higher education.

MR. T. T. KESAVAN SASTRI (*Nominated*) :ഖണ്ഡനമണ്ഡനങ്ങൾക്ക് അധീനമായ പരിഷ്ക്കരിച്ചവിദ്യാഭ്യാസപദ്ധതിയിൽ രേഖപ്പെടുത്തിയിട്ടുള്ള അവശസമുദായങ്ങളുടെ പ്രത്യേകവിദ്യാഭ്യാസത്തെ സംബന്ധിച്ചാണ് എനിക്ക് ചില കാര്യങ്ങൾ പ്രസ്താവിക്കുവാനുള്ളത്. രാജ്യത്തിന്റെ ഉൽക്കടമായ ഉൽക്കർഷം വിദ്യാഭ്യാസത്തെയാണ് ആശ്രയിച്ചിരിക്കുന്നത്. വിദ്യാഭ്യാസം സിദ്ധിക്കാത്ത സമുദായങ്ങൾ ദൈനംദിനം ക്ഷയോന്മുഖമായിട്ടാണ പര്യവസാനിക്കുന്നത്. പത്തുലക്ഷത്തോളം വരുന്ന ഈ രാജ്യത്തെ അധഃകൃതവർഗ്ഗക്കാർ വിദ്യാഭ്യാസവിഷയത്തിൽ ഇതര കാര്യങ്ങളിലെന്നോണം അന്യസമുദായങ്ങളെ അപേക്ഷിച്ച് ഇന്നും കേവലം പിന്നോക്കമായിട്ടാണ് സ്ഥിതിചെയ്യുന്നത്. പ്രസ്തുതസമുദായ

ത്തിനു വിദ്യാഭ്യാസസൌകര്യം ലഭ്യമായതു തന്നെ ഒരു ചുരുങ്ങിയ കാലഘട്ടത്തിനിപ്പുറമാണ്. ഗവണ്മെൻറിൻെറ സാഹായ്യങ്ങൾകൊണ്ടു ഈ രാജ്യത്തിലെ അവശസമുദായങ്ങൾ ഇപ്പോൾസാമാന്യവിദ്യാഭ്യാസത്തിൽ ഏതാണ്ടു മുന്നണിയിൽ വരാൻ തുടങ്ങിയതേയുള്ളു. സ്റ്റാത്താം കമ്മററി റിപ്പോർട്ടിൽ അവശസമുദായങ്ങൾക്ക് വിദ്യാഭ്യാസത്തിൻെറ അവശ്യാവശ്യകത സവിശദം രേഖപ്പെടുത്തിയിട്ടുള്ള അദ്ധ്യായം പ്രത്യേകം അനുമോദനാർഹമാണെന്നാണെൻെറ അഭിപ്രായം. എങ്കിലും അധഃകൃതരുടെ അവശതയ്ക്കനുകൂലമായി വിദ്യാഭ്യാസവിഷയത്തിൽ പ്രോത്സാഹിപ്പിക്കുന്നതിലേക്കു വേണ്ടുന്നആവശ്യങ്ങളും പല സംഗതികളും പ്രസ്തുതറിപ്പോർട്ടിൽ വന്നിട്ടില്ല. ഇപ്പോഴത്തേക്കാൾ കൂടുതൽ സൌകര്യം പ്രസ്തുതസമുദായത്തിന് ലഭിക്കാൻ നിർദ്ദേശങ്ങളും ആനുകൂല്യങ്ങളും ഉണ്ടെങ്കിൽ മാത്രമേ ക്രമേണ അവർ ഇതരസമുദായങ്ങൾക്കൊപ്പം ഉന്നതിയിൽ വരികയുള്ളു. കൊച്ചി, മൈസൂർ, മുതലായ രാജ്യങ്ങളിൽ അധഃകൃതരുടെ വിദ്യാഭ്യാസവിഷയത്തിൽ ഗണ്യങ്ങളായ പലസൌകര്യങ്ങളും ചെയ്തുവരുന്നുണ്ട്. സ്കാളർഷിപ്പുകൊടുത്തും ആഹാരംകൊടുത്തും മററു പലവിധത്തിലും അധഃകൃതരെ ഈ വിഷയത്തിൽ പ്രോൽസാഹിപ്പിച്ചുവരുന്നു; ഈ രാജ്യത്തിൽ അങ്ങനെയുള്ള സഹായസഹകരണങ്ങൾ വളരെ പിന്നോക്കത്തിലാണ് ഇരിക്കുന്നതു്. പരിഷ്ക്കരിച്ചവിദ്യാഭ്യാസപദ്ധതി നടപ്പിലാകുമ്പോഴെങ്കിലും അവരുടെ ആവശ്യങ്ങൾ യഥാക്രമം നിവ്വഹിച്ചുകൊടുക്കുമെന്ന് സമാധാനപ്പെടുന്നു. അവശസമുദായങ്ങളിൽ സാമാന്യവിദ്യാഭ്യാസവും പരീക്ഷായോഗ്യതയും ഉള്ളവക്ക് ഉദ്യോഗങ്ങൾ കൊടുത്തു് അവരെ പ്രോത്സാഹിപ്പിക്കുന്നതായാൽ മററുള്ളവർക്കും വിദ്യാഭ്യാസവിഷയത്തിൽ ഉത്സാഹം ഉണ്ടാകുന്നതാണ്. ഇതിൽ അധികാരികൾ പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതാണ്.

ഈ രാജ്യത്തെ മലയാളം സ്കൂൾ അദ്ധ്യാപകന്മാർ പരിഷ്ക്കരിക്കുന്നവിദ്യാഭ്യാസ പദ്ധതി അനുസരിച്ചു അവരുടെ ശമ്പളത്തിൽ എന്തെങ്കിലും പ്രോൽസാഹനംലഭിക്കുമെന്ന് ആകാംക്ഷയോടുകൂടി കാത്തിരുന്നു. എന്നാൽ റിപ്പോർട്ടു വെളിയിൽ വന്നപ്പോൾ ഇച്ഛാഭംഗമാണ് അവക്ക് ഈ വിഷയത്തിൽ ഉണ്ടായിട്ടുള്ളതു്. ആ സംഗതി നിവ്വഹിച്ചുകൊടുക്കുന്നതിന് ഡിപ്പാർട്ടുമെൻറു മേലധികാരികൾ ശ്രദ്ധിക്കേണ്ടതാണ്.

സംസ്കൃതസ്കൂളുകളെസംസ്കൃതാഭിമുഖ്യമുള്ള ഇംഗ്ലീഷ് മിഡിൽ സ്കൂളാക്കി പുനഃസംഘടനചെയ്യണമെന്ന് കമ്മിററി ശുപാർശചെയ്തിട്ടുണ്ട്.

[Mr. T. T. Kesavan Sastri.]

ഈ അഭിപ്രായം സ്വീകാര്യമെന്നഭിപ്രായമില്ല. മഹാരാജാവുതിരുമനസ്സിലെ പ്രത്യേകസഹായത്തോടുകൂടി ഭാരതത്തിന്റെ അതീതമായ ഐശ്വര്യത്തിനും മാതൃഭാഷയുടെ നിലനില്പിനും വേണ്ടി സാരമായി സഹായിച്ചുപോരുന്ന സംസ്കൃതഭാഷയുടെ അഭിവൃദ്ധിക്ക് ഈ നിർദ്ദേശം വിഘാതമാവാനിടയുണ്ട്. ഭാഷാഭിവൃദ്ധിയെ പുരസ്കരിച്ചുള്ള അഭിപ്രായമാദരണീയവുമാണ്. സ്വതന്ത്രമായ സംസ്കൃതഭാഷാപോഷണമാണാവശ്യം.

MR. K. C. KARUNAKARAN (*Nominated*): Sir, my friends have referred *ad nauseum* to the recommendations of the Education Reforms Committee, as also the future educational policy of the State. But, to me, Sir, it seems all the previous speakers, including Mr. Statham himself, have left out one important aspect of education, *viz.*, the provision for imparting higher commercial education in the State. I have carefully read through the Report, especially the chapter on Technical and Professional education; and I painfully failed to see any practical suggestion for the improvement and development of commercial education in the State. On pages 235 and 236 of the Report, I find just nine lines devoted to the Government School of Commerce at Alleppey; and there the subjects taught are typewriting, shorthand, bookeeping and some other minor subjects. The Report has nothing further to say on this very important matter. On several occasions, I have been urging upon the attention of Government the need for improving and developing the Alleppey School of Commerce, on more useful lines and for introducing in that school more important industrial and commercial subjects. The Banking Enquiry Committee recommended the shifting of that school from Alleppey to Trivandrum with the object of getting the co-operation of the Arts and Law Colleges here for introducing in that school higher commercial subjects like commercial law and higher courses of study like the Government Diploma in Accountancy. As it is, this school at Alleppey produces a type of young men, who can hardly be expected to fill up responsible posts in big commercial concerns or to contribute anything substantial towards the commercial and industrial advancement of the country. Sir, is it the idea of the authors that commercial education consists in the mere imparting of lessons in typewriting, shorthand and book-keeping? I am afraid the authors of this Report, in their over-enthusiasm for other matters, have overlooked the importance of the more useful industrial and commercial education, a close study of which plays a very important part in the economic reconstruction of any country to-day. Sir, I beg to point out that the purpose and function of commercial education is to make business intellectually interesting and, by so doing, to help the young man and woman to carry on an alert, acute and analytical mind through the dull years of necessary subordination to details. May I ask what contribution the Report has made towards this end? Sir, it has been observed by eminent men that the net result of the educational policy in India for the last many years has been to produce, year after year, many a Babu

and many a quill-driver. I ask seriously whether we can follow the authors of this Report and stop merely with having a handful of young men and women trained in shorthand, typewriting and ledger-keeping, to develop and look after our industry and trade, leaving other more useful commercial subjects to be taught in advanced countries like England. I do not think, Sir, that this House can be a party to this. Sir, we want a system of commercial education, where our young men and women could be taught in the science of business organisation and administration as has been taught to the American and English boys and girls by men like Sir William Ashley. We want a system of commercial education where scientific management of business could be taught to our young men and women as have been taught to American boys and girls by men like Taylor and Emerson. We want our young men and women to be given an intelligent interpretation of the science of Accountancy as is being interpreted to English boys and girls by men like Dicksee, Fieldhouse and Martineau. We want a system of commercial education, where our young men and women could be taught in the science of internal and external transportation, as has been taught to English boys and girls by men like Acworth, Kirkaldy and Evans.

DEPUTY PRESIDENT: Time.

MR. K. C. KARUNAKARAN (*Nominated*): I have almost finished, Sir. We want our young men and women to be given training in the cottage and factory industries of the State. Above all, they must be initiated into the mysteries of international trade and finance.

If provision is made in our educational system for the proper teaching of these subjects, I am confident Sir, that this will create in the minds of our young men and women that intellectual interest in business, the practical application of which will go a long way for the betterment of the economical condition of our people and the State.

A word about the technological colleges proposed by the Report.

DEPUTY PRESIDENT: Your time is up.

MR. K. C. KARUNAKARAN (*Nominated*): Just one word, Sir.

DEPUTY PRESIDENT: I am sorry.

MR. K. R. ELENKATH (*Kalkulam I*): I must begin by congratulating the authors of the Report for their valuable recommendations; but that does not mean that this House should accept all that is stated in the Report. I shall now proceed to deal with some of the important or major recommendations of the Committee.

The proposal to make the Director also the Education Secretary deserves condemnation. The arguments put forward by the Committee are not convincing. They say that the touch between the Director and the Dewan is not very close and that there is slackness in the Secretariat, as the Chief Secretary is over-burdened.

DEPUTY PRESIDENT: That point has been adverted to by many members. Why do you repeat it?

MR K. R. ELENKATH (*Kalkulam I*): I need only say that the difficulty pointed out by the Committee will be solved only by the Dewan being made the Chief Secretary also and by all the Heads of Departments being made also Secretaries to Government. Huzur should always be centralised. Without centralisation, there cannot be a strong Government.

With regard to the suggestion about the Devaswom funds, I need not say anything at all; because, the Committee's recommendation has been opposed unanimously.

With regard to the private institutions, I may say in reply to the suggestion put forward by Mr. Padmanabha Pillai, that, however much we may try, it will not be possible to prevent fraud. Mr. Padmanabha Pillai suggested that contributions by the managements must be asked to be paid into the treasuries, so that the aided school teachers may draw the Government grant and the management's contribution from the treasury direct. But, as long as there are unemployed teachers in such large numbers, I daresay people will even pay into the treasury the management's contribution from their own pockets. There can be no effective control in this matter until and unless the Director gets the power to appoint these aided school teachers also. And, if that power is vested with the Director, then we can more or less say that the death-knell of private institutions has been sounded. It is always better that we do not make rules which are likely to be broken. To make a rule and to allow it to be broken is always bad policy.

If the grant is to be paid, the only thing to be considered is the number of boys in the school and a sum of money proportionate to this number should be allotted. To try to prevent fraud is always a mistake.

One word in regard to retrenchment. Mr. Statham has suggested that education cess should be levied and the fees for the Fourth Form and the pre-University classes should be raised. I am against all these proposals. I think Mr. M. N. Nair asked, "In case you want money why not suggest retrenchment of the pay of the staff?" On the floor of this House in 1097, the then Director of Public Instruction, Mr. Hodgson, said that in this department a certain amount of satisfaction and sacrifice is required on the part of those who come to serve. Sir, there are in other colleges many professors who serve most efficiently, drawing only Rs. 200.

There was much talk about morals, religion and all that. I say that it is the personnel of the teaching staff and the inspecting staff that counts for these moral and religious studies.

MR. K. MADHAVAN (*Nominated*): Sir, Mr. Statham has to be praised for the very valuable Report he has placed before us. It is valuable in the sense that the reforms proposed by him, if given effect to, will solve certain social and economic problems which vex even politicians.

What I beg to submit in regard to the Report is about the education of the depressed classes and other backward communities. It is

stated in the report that nearly 75 per cent. of the depressed classes go without any education at all. It is a sorrowful fact that only 15 are reading in Form VI. Of course, Mr. Statham has in a laconic manner disposed of the communities like the Ezhavas, the Nadars and similarly situated communities. But, all the same, he says that con cessions have to be shown to these communities also.

With regard to the question of the introduction of compulsory education in Travancore, I submit that the Government should take prompt and immediate steps in that direction. This is especially so when we consider the education of the depressed classes. The Government have been following a benevolent policy in that direction during the last fifteen years, but all the same the result is abnormally poor. Again, the literacy figure among other communities, according to Mr. Statham, is nearly 50 per cent. Mr. Statham points out many glaring defects and difficulties under which the depressed classes are suffering. Of course, much weight could be given to his argument, but I think that the two fundamental causes are those shown below, *viz.*, the so-called depressed classes communities do not possess a literary home and they do not possess a literary surrounding. These two considerations, above all, stand in the way of a proper promulgation of literacy among the depressed classes. According to Mr. Statham, the depressed classes number 6,70,000 and it is regrettable to note that a considerable portion of His Highness the Maha Raja's subjects are put to so many difficulties in regard to literacy. I would also point out that the solution offered by Mr. Statham is not so very effective as, at first sight, it would appear to be. He says that they should be given noon-day meals and shown other concessions. But what I beg to submit before this House is that, unless and until compulsory education is introduced in the State, it is very difficult to find a permanent literacy. Mr. Statham says that there are ever so many difficulties in the way.

DEPUTY PRESIDENT: Your time is up.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertallai II*): I too, am inclined to congratulate the Education Reforms Committee for the valuable report they have submitted in so short a period, and I am sure that none will disagree with me when I say that the Report contains very valuable and thought-provoking recommendations. I am sure the Committee had the best interests of the country at heart when they made these recommendations, even though we may not be in a position to see eye to eye with many of the recommendations contained in the Report. Among those recommendations which seem objectionable to me, I wish to lay emphasis on two and in regard to others, I would express my general agreement with the views expressed by the members of my party.

DEPUTY PRESIDENT: Who are they?

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): The members of this block.

DEPUTY PRESIDENT: You must say definitely who they are.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*) : The Nationalist party. Regarding the recommendation for the reorganisation of the Inspectorate, I would submit that, instead of creating so many grades of Inspectors, it is better to have Inspectors of one or two grades. By that, I mean to say that the post of these Assistant Divisional Inspectors may be abolished, and if found necessary, one more Divisional Inspector's place might be created. That will be conducive to more speedy transaction of business, better management, better control and better discipline.

DEPUTY PRESIDENT : As you have finished, I got up. Please sit down.

With the kind approval of the House, I may exercise some discretion in calling upon members to speak. I have been noticing during the last half an hour that a number of members have been getting up and I am able to remember to a very great extent who stood up first and so forth. But without strict adherence and substantially following the order which I have noted, I will call upon certain members, leaving it to others certainly the option to rise up later on. I will now ask Mr. V. T. Chacko to speak.

MR. V. T. CHACKO (*Muvattupuzha I*) : Sir,—

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : I would like to address only one sentence.

DEPUTY PRESIDENT : You are now out of order, since I have called upon Mr. V. T. Chacko to speak and he is in possession of th House.

MR. V. T. CHACKO (*Muvattupuzha I*) : Sir, the Report of the Education Reforms Committee is no doubt an epoch-making record. It is fraught with the most vital consequences for the future education in Travancore. We have been spending half a crore on education. But the machinery which directs and controls this expenditure appears to be in a very ricketty condition. Mr. Statham has made some proposals for improving this machinery of control. There may be a difference of opinion as to these proposals, for example, as to the appointment of the Deputy Director of Public Instruction and as to the closing of the Education Section of the Secretariat. The Report has pointed out that much of the delay and vacillation in matters of policy and inefficiency has been due to the present system. Under the present arrangement, many matters of policy are allowed to slumber in the pigeon-holes of the Secretariat for several years together. It has to be remembered that Mr. Statham will be here only for a short period and that he should be given every facility for implementing his recommendations. I believe we are all agreed that the present system of education is far from satisfactory and that it should be reformed and re-organised very quickly and very effectively. If it is so, the new arrangement proposed by Mr. Statham may be given a fair trial. I have no objection to its being tried as a temporary measure, say, for four or five years, until the present system is reformed and reorganised more or less on the lines of the recommendations in the Report.

I am greatly impressed by the recommendations of the Statham Report on mass education. As the Right Honourable V. S. Srinivasa Sastry observed the other day, "this subject of mass education goes to the very root of our future. Our work in the political or economic sphere can bear no lasting fruit, until we have laid primary education on a solid and durable basis." The Statham Report has realised the intimate connection between the welfare of the State and the preparation of the young citizen for his responsibility. It is time that we followed the example of all advanced countries and reorganised our primary education on the basis of effective State control and at the same time created local bodies and invested them with the power of managing and administering our elementary schools.

It is a matter for congratulation that the report has laid sufficient stress on physical education, the importance of residential life for schools and colleges, compulsory medical inspection of pupils and on the pay, prospects and tenure of service of teachers in aided schools The recommendations on these topics, I hope and trust, will receive due consideration at the hands of Government and also the full co-operation of the managements of private schools.

MR. E. K. KUNJURAMAN (*Nominated*): സ്റ്റാത്താംകമ്മററിറിപ്പോർട്ടിൻെറ ഗുണപരവും ദോഷപരവുമായ സംഗതികളെപ്പററി എൻെറ മുൻഗാമികളിൽ പലരും നിർദ്ദേശിച്ചു കഴിഞ്ഞിരിക്കുന്ന സ്ഥിതിക്കു പ്രധാനപ്പെട്ട ചില സംഗതികളെപ്പററിമാത്രമെ ഞാൻ പറയണമെന്നു വിചാരിക്കുന്നുള്ളു. തിരുവിതാംകൂർമഹാരാജാവു തിരുമനസ്സുകൊണ്ടു മലയാളഭാഷയെ മാതൃഭാഷയായി അംഗീകരിച്ചിരിക്കുകയാണ്. ഈ റിപ്പോർട്ടിൽ മലയാളഭാഷാവിദ്യാഭ്യാസത്തിൻെറ നില ശോച്യമായ അവസ്ഥയിലാണിരിക്കുന്നതു്. മലയാളഭാഷാഭ്യാസം പ്രൈമറിസ്കൂളുകളിൽ മാത്രമാണു നടന്നുവരുന്നതു്. ൲൦൧ലെ കണക്കനുസരിച്ചു ൧൧,൦൦൦ വിദ്യാർത്ഥികൾ നാലാംക്ലാസ്സിൽ പഠിച്ചിരുന്നു. ൩൩,൦൦൦ വിദ്യാർത്ഥികളാണു അഞ്ചാംക്ലാസിൽ വന്നിട്ടുള്ളതു്. ഇത്ര ഭീമമായി അഞ്ചാംക്ലാസ്സിൽ വന്നപ്പോൾ കുറഞ്ഞുപോയതു അഞ്ചാംക്ലാസിൽ ഫീസുള്ളതുകൊണ്ടുമാത്രമാണ്. നാലാംക്ലാസിലെ അഭ്യസനംകൊണ്ടു പ്രൈമറിവിദ്യാഭ്യാസംപോലും ഉണ്ടാകുന്നില്ല എന്നുകണ്ടിട്ടാണ് അഞ്ചാംക്ലാസിൽ വന്നുചേരുന്നതു്. ഈ ക്ലാസ്സിലും പൂർണ്ണമായ മലയാളം ഇല്ല. ഈ അഞ്ചാംക്ലാസ്സിൽ ഇംഗ്ലീഷ്പ്രൈമറിക്ലാസ്സ് ഏർപ്പെടുത്തുന്നതായാൽ മലയാളംപഠിക്കുന്ന വിദ്യാർത്ഥികൾക്കു മലയാളവും ഇംഗ്ലീഷും അവിടെനിന്നു ശരിയായി കിട്ടുന്നില്ല. അതുകൊണ്ടു മലയാളം മിഡിൽസ്കൂളിനെ ഹൈസ്കൂൾ ആക്കണമെന്നു റിപ്പോർട്ടിൽ പ്രസ്താവിച്ചിരിക്കുന്നതിനോടു ഞാൻ അശേഷം യോജിക്കുന്നില്ല. അതുപോലെ സംസ്കൃതത്തിനും മല

[Mr. E. K. Kunjuraman.]

യാളത്തിനും വേണ്ടി പ്രൈമറിസ്കൂൾ ഏർപ്പെടുത്തണമെന്നു പറയുന്നു. അതുകൊണ്ടു ഉയന്നതരം മലയാളവിദ്യാഭ്യാസത്തിനും താഴ്ന്നതരം സംസ്കൃതവിദ്യാഭ്യാസത്തിനും അവിടെ സൌകര്യം ഇല്ലാതിരിക്കുന്നു. സംസ്കൃതകാളേജിനെ മദ്രാസ് യൂണിവേഴ്സിററിയോടു സംഘടിപ്പിക്കണമെന്നു റിപ്പോർട്ടിൽ പറയുന്നു. അതിനുള്ള എൻട്രൻസ് പരീക്ഷയ്ക്കു വളരെ പ്രാധാന്യമുള്ളതും പലവിഷയങ്ങളും പഠിച്ചുതീർക്കേണ്ടതും ഉണ്ട്. ഹൈസ്കൂളിൽ ആറാംക്ലാസും ശാസ്ത്രിപരീക്ഷയും പാസ്സാകുന്ന വിദ്യാർത്ഥി ഒരുവർഷത്തെ കോഴ്സുകഴിഞ്ഞാണു എൻട്രൻസ്പരീക്ഷയ്ക്കു ചേരുന്നത്.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): ഗൌരവതരവും ഗുരുതരവും ആയ ഒരു റിപ്പോർട്ടു സമർപ്പിച്ചിരിക്കുന്ന കമ്മററിക്കു ഞാൻ നന്ദിപറഞ്ഞുകൊള്ളുന്നു. ഈ റിപ്പോർട്ടിൻെറ അധികം ഭാഗവും പ്രായോഗികമാക്കിത്തീർക്കുന്നതിനു വിഷമം ഉണ്ടെന്നുള്ള മററു മെമ്പറന്മാരുടെ അഭിപ്രായത്തോടുകൂടി ഞാനും പൂർണ്ണമായി യോജിക്കുന്നു. ഈ രാജ്യത്തിൽ വിദ്യാഭ്യാസഡയറക്ടർ ആയിരിക്കേണ്ടതു നാട്ടുഭാഷാപരിചയം ഉള്ള ഒരു ആളാണ്. ഈ റിപ്പോർട്ടിൻെറ പ്രധാനഭാഗങ്ങളിൽ ഒന്നാണു ഡിപ്യൂട്ടിഡയറക്ടറുദ്യോഗം. ആ ഉദ്യോഗസ്ഥനെ ഈ അസംബ്ളിയുടേയും കൌൺസിലിൻേറയും അനുവാദവും സമ്മതവും കൂടാതെ നിയമിച്ചതു തീരെ ശരിയായിട്ടുള്ള ഒരു സംഗതിയല്ല. ഡിപ്യൂട്ടിഡയറക്ടർ ഉദ്യോഗം ഇവിടെ ആവശ്യമില്ല. ഇൻസ്പെക്ടറുടേയും ഡയറക്ടറുടേയും മദ്ധ്യേ ലെറർബോക്സ്പോലെയുള്ള ആ സ്ഥാനത്തിൻെറ ആവശ്യം ഇവിടെ ഒന്നുകൊണ്ടും ഇല്ല.

സഹവിദ്യാഭ്യാസം ആവശ്യമാണെന്നു പറയുന്നു. പ്രൈമറിസ്കൂളുകളിലും കാളേജുകളിലും സഹവിദ്യാഭ്യാസം ചെയ്യുന്നതുകൊണ്ടു തരക്കേടില്ല. എന്നാൽ ഹൈസ്കൂളുകളിൽകൂടി സഹവിദ്യാഭ്യാസം നടത്തുന്നതു വളരെ ദോഷകരമാണ്.

വർണ്ണാക്യുലർവിദ്യാഭ്യാസം ഇപ്പോഴത്തെ റിപ്പോർട്ടുകൊണ്ടു മൃതപ്രായമാക്കുകയാണ്. സംസ്കൃതസ്കൂളുകളെ നിറുത്തിയിട്ടു സംസ്കൃതാഭിമുഖ്യമുള്ള ഇംഗ്ലീഷ് മിഡിൽസ്കൂളുകളുമായി സംഘടിപ്പിക്കണം എന്നു പറയുന്ന അഭിപ്രായത്തോടു യോജിക്കാൻ നിവൃത്തിയില്ല. ഇപ്പോഴും ജ്യോതിഷം, ശില്പശാസ്ത്രം, ആയുർവേദം മുതലായവ അഭ്യസിപ്പിക്കുന്നവിദ്യാലയങ്ങളെ ഇംഗ്ലീഷ്സ്കൂളുകളായി രൂപാന്തരപ്പെടുത്തുന്നപക്ഷം ഇംഗ്ലീ

ഷിനു പ്രാധാന്യം ഉണ്ടാകുന്നതല്ലാതെ സംസ്കൃതത്തിനു പ്രാധാന്യം ഉണ്ടാകുന്നതല്ല. സംസ്കൃതകാളേജിനെ മദ്രാസ് യൂണിവേഴ്സിററിയോടു ചേർക്കണമെന്നു റിപ്പോർട്ടിൽപറഞ്ഞിരിക്കുന്നതു ദോഷകരമാണ് ഇതിന്റെ ആവശ്യവും യുക്തിയും മനസ്സിലാകുന്നില്ല. ഇവിടത്തെ കാളേജിൽ വിദ്വാൻ, ശിരോമണി എന്നീക്ലാസുകൾ ഇല്ലാത്തതുകൊണ്ടു ഇവിടെയുള്ളവർക്കു പരീക്ഷകളിൽ ജയിച്ചാൽ തിരുവിതാംകൂറിനുവെളിയിൽ ജോലികിട്ടുമെന്നുള്ളതുകൊണ്ടുമായിരിക്കാം. അതിലേക്കു എനിക്കൊന്നുചോദിക്കുവാനുള്ളതു്, വിദ്വാൻ, ശിരോമണി എന്നീപരീക്ഷകൾ പാസ്സായ തിരുവിതാംകൂറുകാർക്കു തിരുവിതാംകൂറിലൊ വെളിയിലൊ ജോലി കിട്ടിയിട്ടുണ്ടോ എന്നാണ്. മേല്പറഞ്ഞ പരീക്ഷാവിജയികളായ അനേകം തിരുവിതാംകൂറുകാർക്കു യാതൊരുജോലിയും കിട്ടാതിരിക്കെ സ്വതന്ത്രമായിരിക്കുന്ന ഒരു കാളേജിനെ പരാധീനമാക്കേണ്ട ആവശ്യം ഒന്നുകൊണ്ടും ഇല്ല.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Sir, I am at one with those of this House who showered encomiums upon Mr. Statham and his colleagues in submitting so valuable and useful a Report in so short a time. Of late, there have been so many committees for various matters. But this is the only Committee that has not asked for more time than it was allowed. The way in which Mr. Statham and his colleagues were able to submit the Report within the prescribed time is a matter for sincere congratulation. The Report deals with so many topic from control and management right up to the problem of unemployment and rural reconstruction. Upon these various topics most of the members have already spoken and I wish to deal only with one or two points that struck me.

One looks in vain through the Report for finding a suggestion or making an attempt to revise the old Education Code. At the time the Committee was appointed, it was reasonably expected by the public that it would be a draft for the New Education Code. There are so many defects in the old Education Code of Dr. Mitchell, and people reasonably thought those defects and shortcomings will be remedied by the draft New Education Code. I am not unaware of the fact that it may be with that object Mr. Statham himself was appointed the President of the Committee and I hope that this defect will be remedied in consultation with the proposed Advisory Board. The motion before the House is to allow a grant of Rs. 2,000 for the travelling allowances of the members of the Advisory Board, and I suggest that the various recommendations of the Committee must be carefully scrutinised by the Advisory Board before they are put into operation. As regards the transfer of the departmental schools to private bodies and the local boards, what I would submit is that it is an unworkable proposition. Because the only sort of local bodies we have today here in Travancore

[Mr. N. Abdur Rahiman Sahib.]

are the municipalities. Taking the income of all the municipalities for the year 1107, we find that their income, including the grant from the Government, is not sufficient to meet the expenditure and they are invariably falling back upon the balance in the previous year just to make both ends meet. That being the case, how far the municipalities can undertake this work is a matter for the consideration of the House.

As regards Muslim education, I find that there is a general recommendation in the Report that incomplete schools should, as far as possible, be gradually abolished, but not in the case of special schools. In my opinion, it is unwise to abolish the incomplete schools, but every endeavour should be made to make such schools complete and useful to the various localities concerned. One word regarding the deplorable lot of the unhappy Koran teachers.

DEPUTY PRESIDENT: Your time is up.

MR. EDAVANATT S. PADMANABHA MENON (*Shertalla I*): Sir, I congratulate the Education Reforms Committee on the excellent, exhaustive and comprehensive Report they have presented to the State. It is, I consider, a refreshing document containing substantial solutions of some of the difficult educational problems. The way in which they have exposed the existing vices, namely, the want of discipline, the loose kind of expenditure of public money in the department and the flaws that are existing in the aided agency, deserve our commendation. They have exposed to our view many existing evils and, I think, real gratitude is due from this side of the House to the Committee for the able and thorough manner in which they have done the work entrusted to them. As regards the constructive proposals of the Education Reforms Committee, I have great pleasure in agreeing with many of their major recommendations, except the utilization of Devaswom Fund and the handing over, to private agencies of departmental institution and similar matters adverted to by some of my friends of my party. I have been all along of the view, Sir, that formation of real character, development of mind and body, healthy national outlook and bread-winning capacity are the essential incredients of a true education. And it is with these ideals in view, I think, that the Education Reforms Committee have approached the difficult problems. The educational reconstruction in the State is a very urgent one. If the major recommendations of the Committee are brought into effect, I believe, it will do good to the future of this country. I am keenly alive to the fact that criticisms have been levelled against the Committee from this side—the non-official side— and from elsewhere also, that they have dealt a serious blow to the Vernacular education, and that the financial commitment are heavy. If the reform proposals are vitally necessary and good to the country, then the question of finance should not stand in our way.

MR P. K. NARAYANA PILLAI (*Ambalapuzha I*): How is the money to be raised?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I am prepared even to assent readily for raising an educational cess, if it is absolutely necessary, so that these problems may be solved. Our educational problems stand urgently in need of thorough overhauling.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from the member whether villagers are just now able to pay land tax upon their properties?

MR. EDAVANATT S. PADMANABHA MEON (*Shertalla I*): Not exactly just now. All the reforms will not be brought into effect in one day. Times and finance might improve. Well, Sir, this kind of half-hearted criticisms of some of the members of a certain section of the public is not at all fair to the larger interests of the country. I wonder whether they are true to their sacred trust. And I demand that a more serious, a more earnest and sincere attention should be given to this great subject. So, once more I congratulate the Education Reforms Committee for the substantial contribution they have made for the betterment of our education.

DEPUTY PRESIDET: Your time is up.

MR. N. E. VARUGHESE (*Tiruvalla I*): കമ്മററിയുടെ ശുപാർശകളെ സംബന്ധിച്ച് പൊതുവെ വിമർശനം ചെയ്യുന്നതിനു് സമയം കിട്ടാത്തതിൽ ഞാൻ വ്യസനിക്കുന്നു. പ്രധാനമായിട്ടു സഹായധനം വാങ്ങുന്ന പള്ളിക്കൂടങ്ങളുടെ നിലയെപ്പററി സ്വല്പം പറയാമെന്നുദ്ദേശിക്കുന്നു. തിരുവിതാംകൂറിൽ സഹായധനം വാങ്ങുന്ന പ്രൈവററു വിദ്യാലയങ്ങൾ ൨,൨൭൫ എണ്ണം ഉണ്ടു്. ഈ വിദ്യാലയങ്ങളുടെ മേൽ അധികം ഭാരം വലിച്ചു വയ്ക്കുന്നതായാൽ ആ വിദ്യാലയങ്ങളുടെ പുരോഗമനത്തിനു് വളരെ തടസ്സങ്ങൾ ഉണ്ടാകുന്നതാണു്. ഈ വിദ്യാലയങ്ങളിൽ അധികം ഭാഗവും പ്രൈമറി വിദ്യാലയങ്ങളാണു്. മിക്ക പള്ളിക്കൂടങ്ങളും വലിപ്പപ്പെടുത്തിയും അഞ്ചാംക്ലാസ്സുകൂടി ഏർപ്പെടുത്തി കൂടുതൽ അദ്ധ്യാപകന്മാർക്കു ശമ്പളം കൊടുത്തും പുലർത്തികൊണ്ടു വരേണ്ടതു നിമിത്തം ഈ പ്രൈവററു മാനേജരന്മാർക്കു് വളരെ പ്രയാസം ഉണ്ടാകാനിടയുണ്ടു്. അങ്ങിനെ ഇരിക്കുമ്പോൾ അവരുടെ ചുമലിൽ ഒരേ സമയത്തു പല തരത്തിലുള്ള കൂടുതൽ ഭാരങ്ങൾ കയററുകയാണെങ്കിൽ അവർ അതിൽനിന്നു പുറകോട്ടു മാറിക്കളയുവാൻ സംഗതിയാകുന്നതാണു്. അതു കൊണ്ടു് പ്രൈവററു മാനേജരന്മാരെക്കൂടി പുലർത്തിക്കൊണ്ടു പോകത്തക്ക വിധത്തിലുള്ള ഒരു പദ്ധതി മാത്രമേ പ്രയോഗത്തിൽ വരുത്താൻ പാടുള്ളു എന്നും അതും എത്രയും സാവധാനത്തിൽ മാത്രമേ ആകാവൂ എന്നുമുള്ള സംഗതിയാണു് എനിക്കു് ഗവണ്മെൻറിൻെറ ദൃഷ്ടിയിൽ പ്രധാനമായി കൊണ്ടു വരുവാനുള്ളതു്. പ്രൈവററു വിദ്യാലയങ്ങളിൽ ഭൂരിഭാഗ

[Mr. N. E. Varughese.]

വും കൃസ്ത്യാനികളുടെ വകയാണു. കൃസ്ത്യാനികളുടെ അധികം വിദ്യാലയങ്ങളും പാശ്ചാത്യരാജ്യങ്ങളിലുള്ള മഹാമനസ്കന്മാരായ പലരുടേയും സംഭാവന കൊണ്ടു് നടത്തപ്പെടുന്നവയാണു. ഈ വിദ്യാലയങ്ങൾ നടത്തുന്നതിന്റെ ഉദ്ദേശം തിരുവിതാംകൂറിലുള്ള ബാലികാബാലന്മാരെ അക്ഷരവിദ്യ അഭ്യസിപ്പിക്കണമെന്നുള്ളതു മാത്രമല്ല. കൃസ്തുമതം അവലംബിച്ചിരിക്കുന്നവർക്കു ശരിയായ മതപരിജ്ഞാനം കിട്ടുന്നതിനു അക്ഷരജ്ഞാനം കൂടി ആവശ്യമാണെന്നു് മനസ്സിലാക്കീട്ടു കൂടിയാണു് ഈ വിദ്യാലയങ്ങൾ നടത്തപ്പെടുന്നതു്.

MR. KAINIKKARA M PADMANABHA PILLAI (*Changanachery* I) പ്രൈവറ്റുസ്കൂൾ മാനേജർന്മാർക്കു് യഥാർത്ഥമായ വിദ്യാഭ്യാസം നൾകണമെന്നുള്ള ഉദ്ദേശം ഇല്ലെന്നാണോ മെമ്പറിന്റെ അഭിപ്രായം?

MR. N. E. VARUGHESE (*Tiruvalla I*) : മതാഭ്യസനം കൂടി ഉണ്ടാകണമെന്നു് അവർക്കു് ഉദ്ദേശമുണ്ടു്. ഇങ്ങിനെ ഉള്ള പ്രൈവറ്റു് വിദ്യാലയങ്ങളിൽ മതസംബന്ധമായ യാതൊരു അഭ്യസനവും നടത്തിക്കൂടാ എന്നു ഈ സഭയിലെ പല മാന്യസ്നേഹിതന്മാരും അഭിപ്രായപ്പെട്ടിട്ടുണ്ടു്. ഈ വക അഭിപ്രായങ്ങളെ ആദരിച്ചു ഗവണ്മെന്റു അതു വക വച്ചു കൊടുക്കുവാൻ തയ്യാറാകുന്നു എങ്കിൽ — കൃസ്ത്യാനികൾ നടത്തുന്ന വിദ്യാലയങ്ങളിൽ ആ സമുദായത്തിനത്യാവശ്യമായ മതാഭ്യസനം നടത്തുന്ന വിഷയത്തിൽ ഗവണ്മെന്റു വിപരീതം പ്രകടിപ്പിക്കുന്നു എങ്കിൽ — അവർ നടത്തുന്ന വിദ്യാലയങ്ങളിൽ നിന്നു അവർ പുറകോട്ടു മാറിക്കളയുവാൻ സംഗതിയാകുകയില്ലേ എന്നുള്ള സംഗതി ഞാൻ ഗവണ്മെന്റിന്റെ ശ്രദ്ധയിൽ കൊണ്ടുവന്നു കൊള്ളുന്നു.

MR. S. J. NAIR (*Nedumangad*): കൃസ്ത്യാനികളാൽ നടത്തപ്പെടുന്ന വിദ്യാലയങ്ങൾക്കു ഗവണ്മെന്റിൽനിന്നു നൾകി വരുന്ന ഗ്രാന്റു് വേണ്ടെന്നു വെയ്ക്കുവാൻ തയ്യാറാകുമോ?

DEPUTY PRESIDENT: You have one minute more.

MR. N E. VARUGHESE (*Tiruvalla I*) : മതസംബന്ധമായ അഭ്യസനം കൂടി നടത്തുന്നതിനു് പ്രൈവറ്റു സ്കൂളുകളിൽ ഗവണ്മെന്റു അനുവദിക്കുന്നില്ലെങ്കിൽ മാനേജർമാർ അതിൽ നിന്നും പിന്മാറുകയും തന്നിമിത്തം ഈ രാജ്യത്തു കൂടുതലായ അതൃപ്തി ഉണ്ടായി വരികയും വിദ്യാഭ്യാസത്തിന്റെ പുരോഗമനത്തിനു വലിയ തടസ്സമായി തീരുകയും ചെയ്യു

മെന്നുമുള്ള സംഗതി ഞാൻ ഗവൎമ്മെന്റിനെ ഉൽബോധിപ്പിച്ചു കൊള്ളുന്നു.

MR. A. THANU PILLAI (*Trivandrum Rural*): മതപ്രചാരണം നടത്തുന്നതിനു സൎക്കാർ പണം ചെലവാക്കുന്നതു കൊണ്ടു തരക്കേടില്ലേ?

MR. N. E. VARUGHESE (*Tairuvalla* I): സൎക്കാർ പണം മതപ്രചാരണത്തിനു വേണ്ടി ചെലവാക്കണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടില്ല.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli* II) I have been attempting to speak today several times and I was not fortunate enough to find an opportunity. Now since there is only very limited time before me and since all my facts have been already touched upon by my previous speakers, I think it is not expedient to reiterate them and to take away the time of the Council. I therefore resume my seat.

MR. M. K JANARDANA KAMMATH (*Commerce and Industry, North*): സർ, എഡ്യുക്കേഷൻ റിഫോം കമ്മറ്റിയുടെ റിപ്പോൎട്ടു ആകപ്പാടെ വളരെ നന്നായിരിക്കുന്നുവെന്നു ഞാൻ സന്തോഷത്തോടുകൂടി പ്രസ്താവിക്കുകയും കമ്മറ്റിയുടെ അദ്ധ്യക്ഷനായി സുപ്രസിദ്ധനായ മിസ്റ്റർ സ്റ്റാത്താമിനെ സമ്പാദിച്ചതിലും കമ്മറ്റിയുടെ നിൎദ്ദേശങ്ങൾ പ്രയോഗത്തിൽ വരുത്തേണ്ടതിലേക്കായി അദ്ദേഹത്തെ തന്നെ ഏതാനും നാളത്തേക്ക് ഡയറക്ടർ സ്ഥാനത്തു നിയമിച്ചതിലും ഗവൎമ്മെന്റിനെ ഹാൎദ്ദമായി അനുമോദിക്കുകയും ചെയ്തു കൊള്ളട്ടേ.

റിപ്പോൎട്ടിലെ നിൎദ്ദേശങ്ങൾ പ്രായേണ എല്ലാം തന്നെ വളരെ നന്നായിരിക്കുന്നുവെന്നു ഇപ്പോൾ തിരുവിതാംകൂറിൽ പൊതുവെ സമ്മതമായി കഴിഞ്ഞിട്ടുണ്ടു. നിസ്സാരങ്ങളായ ന്യൂനതകൾ ഉണ്ടെങ്കിൽ അവയെ ഡയറക്ടരുടെയും ഗവൎമ്മെന്റിന്റെയും ദൃഷ്ടിയിൽ കൊണ്ടുവരുമ്പോൾ അവയ്ക്കു ന്യായമായ പരിഹാരം ഉണ്ടാകുമെന്നും വിശ്വസിക്കുന്നു. റിപ്പോൎട്ടിലെ നിൎദ്ദേശങ്ങൾ നന്നായിരിക്കുന്നുവെന്നു പറഞ്ഞതു കൊണ്ടു് അവയെ എല്ലാം ഞാൻ പൂൎണ്ണമായി സമ്മതിക്കുന്നുവെന്നു് ആരും അൎത്ഥം ധരിക്കുകയില്ലല്ലോ. ചില കാൎയ്യങ്ങളെപ്പറ്റി എനിക്കു സ്വല്പമായ അഭിപ്രായ വ്യത്യാസങ്ങൾ ഉണ്ടു്. അവയെ സംബന്ധിച്ചു ഗവൎമ്മെന്റും ഡയറക്ടരും ഗാഢമായി ചിന്തിക്കുമെന്നും വിശ്വസിക്കുന്നു.

റിപ്പോൎട്ടിലെ ഏറ്റവും പ്രധാനമായ നിൎദ്ദേശം ഡയറക്ടരെ ഹജൂരിലെ എഡ്യുക്കേഷൻ സിക്രട്ടറിയുടെ ചുമതലകൾ കൂടെ ഏല്പിക്കേണം എന്നുള്ളതാണു്. ഈ നിൎദ്ദേശത്തോടു പൂൎണ്ണമായി യോജിക്കുവാൻ എനിക്കു അശേഷം നിവൃത്തിയില്ല.

[Mr M K Janardana Kamath]

ഒരു അസിസ്റ്റൻറ സിക്രട്ടറി വിദ്യാഭ്യാസ വകുപ്പിൻെറ മേൽവിചാരം നടത്തി വരുന്ന ഇപ്പോഴത്തെ നടപ്പ് കാര്യക്ഷമമല്ലെന്നും മററനേക കാര്യങ്ങളിൽ ശ്രദ്ധ പതിക്കുവാൻ ചുമതലക്കാരായ ചീഫ് സിക്രട്ടറി, ദിവാൻജി എന്നീ ഉദ്യോഗസ്ഥന്മാക്കു ഇപ്പോൾ ഉള്ളതിൽ കൂടുതലായി വിദ്യാഭ്യാസ വിഷയത്തിൽ പ്രത്യേക ശ്രദ്ധ പതിക്കുവാൻ സമയമോ സൌകര്യമോ ഉണ്ടാകുകയില്ലെന്നും ഉള്ളിടത്തോളം കാര്യങ്ങളിൽ ഞാൻ റിപ്പോർട്ടിലെ അഭിപ്രായങ്ങളോടു പരിപൂർണ്ണമായി അനുകൂലിക്കുന്നു. എന്നാൽ വിദ്യാഭ്യാസവിഷയങ്ങളുമായിമാത്രം ഇട പഴകി സമ്പന്ധിച്ചിട്ടില്ലാത്ത ഒരു സാധാരണക്കാരൻെറ കൈകളിൽകൂടി വിദ്യാഭ്യാസ ഡയറക്ടരുടെ നിർദ്ദേശങ്ങൾ കയറി ഇറങ്ങുന്നതു മൂലം ഉണ്ടാകാൻ ഇടയുള്ള പ്രയോജനങ്ങൾ വിസ്മരിക്കത്തക്കതല്ല. ചീഫ്സിക്രട്ടറിയും ദിവാൻജിയുംകൂടി ആ സ്ഥാനം നിർവ്വഹിച്ചു കൊള്ളുമെന്നു വിശ്വസിച്ചു ആശ്വസിക്കുന്നതു അപകടമായിരിക്കുകയും ചെയ്യും. അതിനാൽ വിദ്യാഭ്യാസ വകുപ്പിൻെറ പ്രത്യേക ചുമതലയുള്ള ഒരു പ്രത്യേക ഉദ്യോഗസ്ഥൻ ദിവാൻജിയുടേയും ഡയറക്ടരുടേയും ഇടയിൽ ഉണ്ടായിരിക്കേണ്ടതു അത്യാവശ്യമാണെന്നാണ് എൻെറ അഭിപ്രായം.

ഇംഗ്ലീഷ് വിദ്യാലയങ്ങൾക്കു അംഗീകാരവും ഗ്രാൻറും മേലിൽ അനുവദിക്കണമെങ്കിൽ ഓരോ സ്കൂളിലും കുറഞ്ഞതു ഇത്ര വിദ്യാർത്ഥികൾ വീതം ഉണ്ടായിരിക്കണമെന്നു വ്യക്തമായ നിയമം ഉണ്ടായിരിക്കേണമെന്നു റിപ്പോർട്ടിൽ പറയുന്നു. അനാവശ്യസ്ഥാനങ്ങളിൽ വിദ്യാലയങ്ങൾ സ്ഥാപിക്കുവാൻ ഇടയാകാതിരിക്കുന്നതിനു ഇങ്ങിനെ ഒരു മിനിമം നിശ്ചയിക്കുന്നതു നല്ലതായിരിക്കുമെന്നുള്ളതിനു സംശയമില്ല. എന്നാൽ വിദ്യാഭ്യാസവിഷയത്തിൽ പിന്നോക്കം നിൽക്കുന്ന കുന്നത്തുനാട്ടു മുതലായ താലൂക്കുകളെ കുറെ നാളത്തേക്കെങ്കിലും ഈ മിനിമം റൂളിൽ നിന്നു ഒഴിവാക്കേണ്ടതത്യാവശ്യമാണ്.

പ്രത്യേകിച്ചും റസിഡൻഷ്യൽ വിദ്യാലയങ്ങളുടെ കാര്യത്തിൽ ഈ ആനുകൂല്യം വളരെ അത്യാവശ്യമാണ്.

റസിഡൻഷ്യൻ സ്കൂളുകളുടെ ആവശ്യകതയെപ്പററിയും അവയെ പ്രോത്സാഹിപ്പിക്കുന്നതിൽ ഗവമ്മെൻറിനുള്ള ചുമതലയേ പററിയും റിപ്പോർട്ടിൽ വിശദമായി വിവരിച്ചിട്ടുള്ളതാണ്.

DEPUTY PRESIDENT: It is time, Mr. Kammath.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I move that the question be now put.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): The Report, which is the subject of the discussion before the House, is a very interesting and instructive document and a few members on this side of the House who have expressed their opinion on the same have showered high encomiums on the Statham Committee. With all that, there is a large volume of public opinion which is not in favour of the majority of the recommendations contained in the Report. In view of this fact and also in view of the fact that the Report contains several revolutionary and reactionary proposals and also considering the serious financial implications of most of the recommendations in the Report of which the Committee is so silent, I would suggest that Government do deem it desirable to convene a Round Table Conference, representative of all interests, and place the whole Report before them, so that the findings arrived at by the Conference with regard to the various details contained in the Report may be a safe guidance for Government before they take their final action upon the Report.

Sir, I have seriously considered the several important recommendations contained in the Report and I, in collaboration with a few of my friends of my party, have issued a statement, copies of which, I have placed before the members of this House. I trust that Mr. Statham will consider the several points raised in the statement. Much as I would wish to dwell upon several points in which I dissociate myself from several of my friends who have expressed their opinion, I am prevented from doing so for want of time. Before, however resuming my seat, I would once again request Mr. Statham and the Government to carefully consider the views expressed by my party in the printed statement placed before them.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Sir, I propose to make a few observations on some of the questions which have come up for discussion.

DEPUTY PRESIDENT: I may tell the member that he may have seven to ten minutes.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): May I not have a few more minutes?

DEPUTY PRESIDENT: The official member in charge will talk later.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): This question of handing over departmental schools to private agencies—

MR. A. THANU PILLAI (*Trivandrum—Rural*): Is Mr. Chandrasekharan talking as the member in charge of the subject?

DEPUTY PRESIDENT: He is not talking as the member in charge of the subject. He is talking as a member of the House. I suppose I am right?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): Yes, Sir.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സർ, മിസ്റ്റർ ചന്ദ്രശേഖരൻ എഴുനേൽക്കുന്നതിന് മുമ്പ് തന്നെ ഈ വശത്തുള്ള മെമ്പർസ് സംസാരിക്കുവാൻ എഴുന്നേററു നിൽക്കുകയായിരുന്നു.

DEPUTY PRESIDENT: Now Mr. Velayudhan Pillai, in this matter there should be absolutely no interference. I have been trying to find who wanted to talk. I feel that I have been discharging the duties to the satisfaction of the House and my own.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): May I say, Sir, that I have lost three minutes?

DEPUTY PRESIDENT: Now let us go on.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): I quite agree that there is considerable force in the criticism regarding the general policy of handing over departmental schools to aided agency. But as Mr. Statham explained in moving the grant, this transfer is not going to be an immediate or a general one. It is a general statement of policy and I submit, Sir, that as a general statement of policy, there is nothing new or startling or revolutionary in this.

About 15 years ago, the Government appointed the Education Expenditure Committee. One of the recommendations of that Committee, which consisted of officials and non-officials, was that departmental schools should be handed over to aided management. Government, in passing orders on the recommendations of the committee observed as follows:—

"19. *Transfer of English Schools to the control of private agencies*—The Education Expenditure Committee recommends that the provision and expansion of English School education for boys, may in future, be left to private enterprise as far as possible, that Government need not retain any English Middle School whatever, and that so far as English High Schools are concerned, only six of them need be maintained to serve as model institutions, all the rest being handed over to private management under a liberal system of grants-in-aid. This subject was discussed in detail at the Conference. Government, while not willing to comit themselves to the definite views expressed by the Committee in the matter, would avail themselves of this occasion to state once again that their policy is to rely upon private enterprise more and more in regard to English Education, and that they would be prepared to hand over departmental English Schools to private bodies in all cases in which they are satisfied that the interests of efficiency would not suffer by such transfer. Each case will have to be decided on its own merits and it is not easy to lay down any hard and fast programme in this respect."

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether—

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): I submit, Sir, if I am interrupted, I shall not be able to say what I have to say in the very limited time at my disposal.

DEPUTY PRESIDENT: You cannot make contracts with me.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether it was not possible for the Statham Committee to recommend definitely from the recommendations of the Education Expenditure Committee, if the proposal for the laying down of such a policy was not intrinsical by sound or otherwise?

DEPUTY PRESIDENT: You need not answer, Mr. Chandrasekharan, and you may proceed with your opinion. I suppose all the papers regarding education have been placed before the Statham Committee.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Am I to understand that the recommendations of the Statham Committee with regard to this matter will have no more effect than the recommendations of the previous Committee?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): I am coming to that, Sir. During the last twelve years, only two schools were transferred to private management. One was a primary school. It was transferred as the strength was going down. In the case of the other school, an English Middle School, the land and building belonged to the local church and Government transferred the school for want of strength in the school. The chances of handing over schools are therefore extremely remote. Well, Sir, it is not fair to the Statham Committee to take up their recommendation, to tear it out of the context and to criticise it, because this recommendation, regarding the handing over of departmental schools should be read along with the other recommendations about control. My own impression is that, if those recommendations are properly enforced, the number of departmental schools will ultimately increase and not diminish.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): And so there will be no saving of expenditure by this method?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): But this is a different question.

DEPUTY PRESIDENT: You need answer the question only if you choose.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*): My own view of the ultimate result of giving effect to the Statham recommendations will be that a number of managements will go out of existence, which are unable to satisfy the conditions and guarantees which are now being laid down. You have only to look at the chapter with regard to control to realise the existing state of things. Very few managements are satisfying the conditions which have been laid down by the Report and I say the ultimate effect would be that departmental schools will increase and not diminish. And then again there is the question of the vocational bias schools. In the creation of such schools, Government will have to take the initiative. They will have to be at first created and maintained by the department and they will have to be run as departmental institutions, until the managements are able to follow the lead that has been given by the Government. Well, Sir, few managements in Travancore will be able to run such schools. The expression, "reservations and safeguards," has now become very popular and I say, Sir, that the recommendation for transfer of schools to aided agency is so effectively hedged by reservations and safeguards that the apprehension of the House would prove to be to a very large extent groundless.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Then why was that recommendation made if that is not going to be of much use ?

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : Along with this, the recommendation is also made that Government should take immediate steps for the creation of local self-government machinery in the taluks and districts and for handing over the departmental schools to local self-governing bodies. I attach considerable importance to this recommendation. I do not see why this House feels so pessimistic about this. With proper safeguards and reservations, this seems to me to be the only satisfactory solution of the whole problem. After all, in a big matter like education, we have to take a long and statesmanlike view. Government cannot continue to contribute indefinitely from the general revenues for education. Mr. Changanachery Paramesvaran Pillai, whom I would like to congratulate on his very able speech, said that compulsion should be enforced and that we should even now begin to make an experiment with compulsion. You will have to tap other sources of revenue if education has to be expanded and maintained and compulsion introduced. Take the case of technological, residential and vocational schools.

(Several members interrupted putting questions.)

DEPUTY PRESIDENT : I want to make an observation. An official member talks on the views adumbrated on this side of the House. To pay compliments to one member may sometimes have an effect which is not very desirable (Mr. E. V. Krishna Pillai : *Hear, hear.*)

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : I am ready to congratulate all the members on their speeches. I mentioned Mr. Changanachery Paramesvaran Pillai, because his point came up.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : One question, Sir. I wish to know why Mr. Chandrasekharan does not congratulate me.

DEPUTY PRESIDENT : That is out of order. I do not permit Mr. Chandarasekharan to answer that question.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : I am sorry Sir. I was just going to congratulate Mr. Krishna Pillai on his speech about text-books.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : The member is exceeding his time.

DEPUTY PRESIDENT : Yes, I am looking into it.

MR. C. V. CHANDRASEKHARAN (*Deputy Director of Public Instruction*) : Then, Sir, there has been some confusion of thought with regard to management and control. I agree that primary education should always remain under the control of Government. But control is different from management and I am sure, as education expands, the non-official side of the House does not want a single department to run the entire management and day-to-day administration of a vast net-work of elementary schools.

DEPUTY PRESIDENT: I am obliged to make this statement that members of this House, whether official or non-official, should respect the rules of the debate and when the Chair says there is no more time granted, immediately any member ought to sit down.

MR. M. MAHOMED HANEEF (*Nominated*): I have great pleasure in appreciating the great wisdom shown by Government in appointing Mr. R. M. Statham as the Chairman of the Education Reforms Committee and also in congratulating Mr. R. M. Statham and his colleagues of the Education Reforms Committee for having given us so illuminating and valuable a Report on the reforms to be introduced in Travancore. I hope that the Report can be construed as a record of the best intentions of the Committee to do something good to our country. Sir, the Muslims in Travancore are very backward in point of education and public service. I am glad that the Committee has taken pains to understand facts and the Committee has recommended certain concessions to be given to the Muslims of Travancore. I am really thankful to the Committee in general, and Mr. Statham in particular, for having made some sympathetic recommendations about the community, which sympathy the Muslims deserved long ago. I have much to speak on the desirability of introducing compulsory primary education for the Muslims, religious teaching in schools, the pitiable state of affairs of the present day Koran teachers, the undesirable state of affairs in selecting Arabic text books, and also about the introduction of Arabic Chair in the college. For want of time I do not dwell upon them in detail. Once more I congratulate Mr. Statham and support the demand made by him.

MR. T. P. VELAYUDHAN PILLAI (*Thiruvella III*): മലയാളഭാഷാ പരീക്ഷാവിജയികൾക്ക് ദാസ്യംവഹിക്കുന്ന ഉദ്യോഗങ്ങൾമാത്രം കൊടുക്കണമെന്ന് റിപ്പോർട്ടിൽ പ്രസ്താവിക്കുന്നുണ്ട്. അതിനെ ഉടൻതന്നെ റദ്ദ്ചെയ്യണം. ദേശാഭിമാനവും ഭാഷാഭിമാനവും ഉള്ള ഏതൊരുപൌരനും അതു് സഹിക്കത്തക്കതല്ല. മററു ഭാഷകളിലുള്ള പരീക്ഷകൾ പാസ്സാകുന്നവക്ക് ഉയന്നതരം ഉദ്യോഗങ്ങൾ കിട്ടണമെന്ന് വിചാരിക്കുകയും മലയാളഭാഷയിലുള്ള പരീക്ഷകൾ പാസ്സാകുന്നവക്കുമാത്രം കാൺസ്റ്റബിൾ, പ്യൂൺ എന്നീതൊഴിലുകൾ കിട്ടുമെന്ന് നിർദ്ദേശിക്കുകയും ചെയ്തിരിക്കുന്ന ശുപാർശയെ ആസ്പദമാക്കി ദേശാഭിമാനവും ഭാഷാഭിമാനവും ഉള്ള ഏതൊരുപൌരനും നിയമം അനുവദിക്കുന്നപക്ഷം ഈ റിപ്പോർട്ടു നിയമിച്ചകമ്മിററിയുടെമേൽ ഡീഫമേഷൻ കേസുകൊടുക്കുന്നതിനുകൂടി നിർബന്ധിതനായിപ്പോകുന്നു. ടെക്സ്റ്റ്ബുക്കിനെപ്പററിയാണ് എനിക്ക് അടുത്തതായി പ്രസ്താവിക്കാനുള്ളതു്. കമ്മററിടെക്സ്റ്റ്ബുക്ക് നിശ്ചയിക്കുന്നതു് നല്ലവണ്ണം പരിചിന്തനം ചെയ്തുതന്നെ ആയിരുന്നാലും ആബുക്കുകളെ ഒരു ക്ലിപ്തകാലഘട്ടത്തേക്ക് ഒരിക്കലും മാ

[Mr. T. P. Velyudhan Pillai]

ററാൻ പാടില്ലെന്നു നിർബ്ബന്ധപൂർവ്വം വ്യവസ്ഥചെയ്യേണ്ടതാണ്. ടെക്സ്റ്റ് ബുക്കുകളെ കൂടെക്കൂടെ മാററുന്നതുനിമിത്തം രാജ്യത്തിൻെറ ഇപ്പോഴത്തെസ്ഥിതിക്ക് കൂടുതൽ സങ്കടകരമായ ഒരവസ്ഥ ഉണ്ടായിത്തീരുന്നതാണ്. അതുകൊണ്ട് ഒരിക്കൽനിശ്ചയിക്കുന്ന ടെക്സ്റ്റ്ബുക്കുകളെ കുറഞ്ഞപക്ഷം മൂന്നുവർഷത്തേക്കെങ്കിലും മാററാൻ പാടില്ല എന്ന് വ്യവസ്ഥചെയ്യേണ്ടതാണ്. വല്ലകാരണവശാലും പരീക്ഷയിൽ തോററവർക്ക് അതു വളരെ ഉപകാരമായിത്തീരുന്നതാണ്.

മലയാളഭാഷയിൽ ഹയർപരീക്ഷ ഒരിക്കലും നിറുത്തിക്കളയാൻപാടില്ല. അതിലേയ്ക്കു് ഏഴാംക്ലാസ് പരീക്ഷതന്നെവേണമെന്ന് എനിക്കഭിപ്രായമില്ല. ഈ നാട്ടിലെ മാതൃഭാഷയായ മലയാളത്തിന് ശരിയായ ഒരുസ്ഥാനം ഉണ്ടാകുന്നതിന് ഒരു ഹയർപരീക്ഷ അത്യാവശ്യമാണ്. വിശിഷ്യാ ഇംഗ്ലീഷുഹൈസ്കൂൾ ക്ലാസ്സുകളിൽ ഇംഗ്ലീഷുസാഹിത്യം ഒഴിച്ചുള്ള വിഷയങ്ങളുടെ അഭ്യസനം മാതൃഭാഷയിലായിരിക്കണം എന്നു നിർബന്ധിതമായി നിഷ്കർഷിക്കേണ്ടതും അല്ലാത്തപക്ഷം ഈ ശുപാർശകൾ പലേകാരണങ്ങളാലും ഉദ്ദിഷ്ടഫലപ്രാപ്തിയുണ്ടാകുന്നതല്ലാത്തതുമാണ്.

കാളെജ് അഡ്മിഷനെസംബന്ധിച്ച് ഒരു പ്രധാനസംഗതി പ്രസ്താവിക്കാനുണ്ട്. കാളേജധികൃതന്മാരാൽ നടത്തപ്പെടുന്ന ഹോസ്റ്റലിൽ താമസിക്കുന്നവർക്കുമാത്രമെ അഡ്മിഷൻ കൊടുക്കുകയുള്ളു എന്നും ജാതീയമായ ഭോജനമുറികൾ ഹോസ്റ്റലുകളിൽ ഒരിക്കലും ഉണ്ടായിരിക്കരുതെന്നും സഹഭോജനം നടത്തുന്ന സമ്പ്രദായം അഭിലഷണീയമാണെന്നും പ്രസ്തുതറിപ്പോർട്ടിൻെറ പലഭാഗത്തായിവിവരിച്ചിട്ടുള്ളസംഗതികളെ ഒരുമിച്ചു പരിഗണിക്കുന്നപക്ഷം എന്തുദ്ദേശത്തെ ലക്ഷ്യമാക്കിയാണ് ഈ അഭിപ്രായം പ്രകടിപ്പിച്ചിട്ടുള്ളതെന്നറിയുന്നതിനു വളരെ ശ്രമം ആവശ്യമില്ല. കാളേജിലെ മററു വ്യവസ്ഥകളെ അനുവർത്തിക്കുന്നതിനും ആദരിക്കുന്നതിനും സർവ്വസമ്മതമുള്ള വിദ്യാർത്ഥികളും—വിശിഷ്യവിദ്യാർത്ഥിനികളും മിശ്രഭോജനം നടത്തിയാൽമാത്രമേ—അവരവരുടെ മതവിശ്വാസത്തിനും സമുദായാചാരങ്ങൾക്കു വിപരീതമായ സംഗതികൾ പ്രവർത്തിച്ചാൽമാത്രമേ—ആ വിദ്യാർത്ഥികൾക്കും വിദ്യാർത്ഥിനികൾക്കും കാളേജിൽ അഡ്മിഷൻ കിട്ടുകയുള്ളു എന്നു നിശ്ചയിച്ചിരിക്കുന്നതു വളരെ സങ്കടകരമാണ്. കാളേജുകൾക്കു സപം സ്വന്തം രക്ഷകർത്താക്കളോടുകൂടി താമസിച്ചും അവരുടെമേൽനോട്ട

ത്തിലും വിദ്യാഭ്യാസം ചുരുങ്ങിയചിലവിന്മേൽ നടത്തുന്നതിന്ന സൌക കര്യമുള്ളവരെസംബന്ധിച്ചു ഈ വ്യവസ്ഥ സാരതരമായ സങ്കടങ്ങൾക്കും അനാവശ്യനഷ്ടങ്ങൾക്കും കാരണമാകുന്നുണ്ട്. ഈ സംഗതി ഗവണ്മെൻറിൻെറ ഗൌരവമായ ശ്രദ്ധയെ അർഹിക്കുന്ന ഒന്നാണ്.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*) : മിശ്രഭോജനം കഴിച്ചാൽ മതംപോകുമോ?

MR. T. P. VELAYUDHAN PILLAI (*Thiruvella III*) : അതു് എനിക്കറിഞ്ഞുകൂടാ.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): മിശ്രഭോജനം എന്നുവെച്ചാൽ എന്താണ്?

MR. T. P. VELAYUDHAN PILLAI (*Thiruvella III*) : അതിന് സമാധാനം പറയണമെന്ന് ഞാൻ വിചാരിക്കുന്നില്ല.

ഇൻറർമീഡിയററ് ക്ലാസ്സുകളെ ഒരുസ്ഥലത്തും ബീ. എ. ക്ലാസ്സുകളെ ഒരുസ്ഥലത്തുംആക്കി കാളേജിനെ രണ്ടായിതിരിക്കണമെന്ന് നിർദ്ദേശിച്ചിരിക്കുന്നതു് ഒരിക്കലും നന്നല്ലാ. ഈ ശുപാർശയുടെ ഉദ്ദേശശുദ്ധിതന്നെ സംശയാസ്പദമാണ്. അങ്ങിനെ ചെയ്യുന്നതായാൽ ഉയന്നതരം വിദ്യാഭ്യാസംകൊണ്ടുള്ള ഗുണം താഴ്ന്ന ക്ലാസുകളിലെ വിദ്യാർത്ഥികൾക്ക് കിട്ടുകയില്ല. സ്കൂൾഫൈനൽ പരീക്ഷപാസ്സായിവരുന്ന വിദ്യാർത്ഥികളെ തയ്ക്കാട്ട്സ്കൂളിൻെറ നാല്മതിലിനകത്തായി അടച്ചിട്ട് കൂടുതൽ കാലം ചെയും സംസ്കരണവും സിദ്ധിച്ചിട്ടുള്ള വിദ്യാർത്ഥികളോടും ഗുരുക്കന്മാരോടും അടുത്തു സഹവസിക്കാൻ സൌകര്യംകൊടുക്കാതെയിരിക്കുന്ന രീതിവളരെ ദോഷകരമാണ്. അങ്ങനെ ഒരിക്കലും ചെയ്യാൻ പാടില്ല. ഇ രവിധത്തിലുള്ള അഭ്യസനം കാളേജു വിദ്യാഭ്യാസംമൂലം ഉദ്ദേശിച്ചിട്ടുള്ള പരിപൂർണ്ണമായ ഫലദായകത്വത്തിന്ന പ്രതിബന്ധകരമാണ. ഡാക്ടർ റാഷ്ഡാൾ "മെഡീവിയൽയൂനിവേർസിററി" എന്ന നാമധേയത്തിൽ എഴുതിയിട്ടുള്ള ഗ്രന്ഥത്തിൽ അടങ്ങിയിട്ടുള്ള ശ്രദ്ധേയമായ ഭാഗം ഈ അഭിപ്രായത്തെ സാധൂകരിക്കുന്നുണ്ട.

ഇപ്പോൾ ആവശ്യപ്പെട്ടിരിക്കുന്ന സംഖ്യ വോട്ടിനിട്ട് അതു് പാസ്സാകുന്നഎന്ന് വിചാരിച്ച് ബാക്കിയുള്ള റിപ്പോർട്ടിലെ ശുപാർശകളും അതേനിലയിൽ ഞങ്ങൾ അംഗീകരിച്ചു എന്നു വരുത്തിക്കളയാൻ പാടുള്ളതല്ല. ആയതുകൊണ്ടു ഈ മോഷൻ വോട്ടിനിടുന്നതിനുമുമ്പായി റിപ്പോർട്ടിൽ അടങ്ങിയിട്ടുള്ള മററു ശുപാർശകളെ സംബന്ധിച്ചു ഈ മോഷൻെറ വിജയമോ തോൽവിയോ ബാധകമായി

[Mr. T. P. Velayudhan Pillai.]

വരുന്നതല്ലെന്നുള്ള സംഗതി സ്പഷ്ടമാക്കേണ്ടതാണ്. ഈ മോഷൻ പാസായിപ്പോയതുകൊണ്ടു റിപ്പോർട്ടിലെ മററു ശുപാർശകളെ സംബന്ധിച്ചും അസംബ്ലിയുടെ സമ്മതം രേഖപ്പെടുത്തിപ്പോയിട്ടുണ്ടെന്നോ, മറിച്ചു പറയുന്നതിനു വാദതടസ്ഥമുണ്ടെന്നോ പിന്നീടു ആരും വാദിക്കുന്നതിനോ ആ നിലയിൽ പ്രവൎത്തിക്കുന്നതിനോ ഇടയാകാതെ സൂക്ഷിക്കണമെന്നുള്ളതാണു ആവശ്യം. മെസ്സേർസ് ചങ്ങനാശ്ശേരി പരമേശ്വരൻ പിള്ള, പി. കെ. നാരായണപിള്ള, പുതുപ്പള്ളി കൃഷ്ണപിള്ള, കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ള മുതലായ മാന്യമെമ്പറന്മാർ ഈ വിഷയത്തിൽ പുറപ്പെടുവിച്ചിട്ടുള്ള മററു അഭിപ്രായങ്ങളോടും ഞാൻ പരിപൂൎണ്ണമായി യോജിക്കുന്നു.

DEPUTY PRESIDENT: It is very late, and yet I think there are some more members who desire to speak. I have been exercising my best discretion in the matter. If, however, notwithstanding this circumstance anybody is desirous to speak, let them consider. I think there is none?

MR. R. M. STATHAM (*Director of Public Instruction*): I find, Sir, that, at the last meeting of this Assembly a member is reported to have said that it was hoped that the Statham Committee would find solutions for all the naughty problems of Travancore. I do not think that the Committee investigated any "naughty" problems, but I think, Sir, from the tenor of the speeches made in the Assembly during the last two and half days, that at least some of the suggestions in the Report, which, the Government have under consideration, have met with the approval of a considerable number of members of this Assembly. There has been, however, some criticism levelled against the suggestions. I do not want to detain the House very long, but I will just refer to a very few of these criticisms.

One of the main criticisms has been the surrendering of all control on the part of the Government. I would like to assure the members of the Assembly that, whatever there may be in the Report, I do not think that any single member can find in it a recommendation to the surrender of control of any branch of education. Almost every paragraph in the Report has laid stress on the need for tightening of control by Government. Government is not going to surrender its responsibility, particularly for mass education. I am surprised to hear some members referring to local self-governing bodies as private agencies.

MR. S. J. NAIR (*Nedumangad*): One question, Sir, may I draw the attention of the member to page 56—

DEPUTY PRESIDENT: You may put questions and not read the Report.

MR. S. J. NAIR (*Nedumangad*): May I know whether in the Report it is not stated that it should be the avowed policy of Government, in the future, gradually to withdraw from the direct management of primary schools, only retaining a limited number of what may be termed demonstration schools in selected areas?

MR. R. M. STATHAM (*Director of Public Instruction*): It has already been pointed out in the Assembly that there is a great deal of difference between Government control and the direct management of Government institutions. I was just saying that there are members who refer to local bodies as private agencies. I would like to suggest, Sir, that local bodies in the sphere of local self-government are public bodies controlled by Government and their funds are public funds controlled by Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know from the member whether the Report does state that other bodies excepting local bodies will not be entertained?

DEPUTY PRESIDENT: The Report is in the member's hand.

MR. R. M. STATHAM (*Director of Public Instruction*): One member, Sir, has spoken about his desire for nationalisation of the school system in the State. If local bodies in charge of schools are set up and controlled by Government, as suggested in the Report, I imagine that the member's object will be achieved. I will deal with one more point and that is, Sir, the apparent misunderstanding about religious instruction. One member suggested that there may be possibilities of the pupil belonging to one religion being given instruction in the tenets of an other religion. Now, Sir, the Report says what is exactly the opposite. Amongst a certain number of mission institutions, I understand, at the present moment, all those who study in those institutions must receive religious instruction from the Bible. The Report recommends that students of each community may receive religious instructions in their own faith. Religious instruction should not, however, be given to any pupil of another faith unless the parent demands it in writing. The Report has provided for new safeguards against the practice which is in vogue at present.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the member any objection to order that religious instruction should not be carried on in the schools?

DEPUTY PRESIDENT; That does not arise. We are speaking about the Report and the member speaks about the order.

MR. R. M. STATHAM (*Director of Public Instruction*): The recommendations of the Report prevent the present dangerous practice of religious instruction being given to all pupils; at present, unless the parent actively objects to his pupil receiving religious instruction, in the ordinary course it is given.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Anyhow is the Director still for retaining the recommendations of the Committee with regard to the encouragement of religious instruction under certain conditions?

DEPUTY PRESIDENT: The Director's readiness or want of readiness is not the question which affects the matter.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Am I to understand that in cases where the management wants non-Christian children to be taught the Bible, it would be difficult for the management to get written requisitions to that effect from the parents of such children?

MR. R. M. STATHAM (*Director of Public Instruction*): I think it would be surprising if a Hindu parent, for example, put in writing, against his own will, that he desired his pupil to receive religious instruction.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether Mr. Statham realises that imparting instruction in religion other than the religion of the pupil would do more harm to the pupil in case where the pupil is of tender age or below 15 years of age?

DEPUTY PRESIDENT: Does Mr. Statham say so? It does not appear to me that Mr. Statham said that instruction in religion other than the religion of the student should be imparted.

MR. R. M. STATHAM (*Director of Public Instruction*): I think, Sir, my position as well as the position of the authors of the Report with regard to imparting religious instruction is quite clear. Religious instruction to pupils of a particular religion should be allowed. But under no circumstances should one type of religious instruction be given to pupils of another faith.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether, with the consent of the parents, instruction in religion other than that of the pupil is admitted by the Committee even to children belonging to other religions?

MR. R. M. STATHAM (*Director of Public Instruction*): I do not think it is so. The Committee's recommendation is this. Suppose Mr. Kunjukrishna Pillai sends his child to a mission school for whatever reason. If he wants his child to be given the religious instruction of that denomination, he has to put it in writing. I do not think there is anything wrong there. But, if against the will of the parent, religious instruction is given, it would be wrong.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I do not think I am quite clear. Even if I am foolish enough to say that my child be given religious instruction of that denomination, is it proper from an educational point of view that a child of tender age is allowed to be given instruction in other religions?

DEPUTY PRESIDENT: I disallow that question.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know from the member whether there was a large volume of evidence in support of this recommendation with regard to religious instruction?

MR. R. M. STATHAM (*Director of Public Instruction*): I think I will be deviating considerably from the main point in replying that question.

DEPUTY PRESIDENT: That is an important matter. The Committee has formulated certain views and the member is asking whether there was evidence for a particular view. A simple statement in answer would do.

MR. R. M. STATHAM (*Director of Public Instruction*): I believe so. Whatever I state, I state on behalf of Government and not as a member of that Committee.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is there evidence on this point from persons of denominational bodies or non-denominational bodies?

DEPUTY PRESIDENT: Mr. Statham may be asked whether there is any evidence.

MR. A. THANU PILLAI (*Trivandrum-Rural*): The reference was made to evidence and I wish to know whether that evidence was given by persons connected with denominational bodies or non-denominational bodies.

MR. R. M. STATHAM (*Director of Public Instruction*): Sir, I cannot give the number of persons who gave evidence on that point. But I understand that almost all persons who gave evidence were cross-examined with regard to the question of religious instruction, whether they belonged to one or other denomination.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): That answer is not clear.

DEPUTY PRESIDENT: The member has given the answer.

MR. R. M. STATHAM (*Director of Public Instruction*): There are members in this Assembly who advocate that they do not want religious instruction to be imparted to pupils, to whatever denomination they may belong. On the other hand, there are a large number of people in India who have been objecting to secular education, because they could not get religious instruction in public schools. You ought to remember, for example, that our Mahomedan friends regard religious instruction as an essential part of education. In these circumstances, I cannot see why people should take up a "dog-in-the-manger" attitude and say "We do not want any religious instruction and since we do not want, nobody shall have it".

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from Mr. Statham what is the practice in England with respect to religious education.

MR. R. M. STATHAM (*Director of Public Instruction*): I submit it is extremely difficult if questions as to the practice in England or elsewhere are asked. I am sorry that, while we are holding the discussion or consideration of the Report, we have to discuss as to what happens in England.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : If it is difficult for Mr. Statham to answer, I do not want an answer.

MR. R. M. STATHAM (*Director of Public Instruction*) : I may inform the member that religious instruction in England is permitted.

Considerable number of suggestions have been made with regard to the question of finance.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*). May I know whether Mr. Statham is aware that religious instruction in schools has given rise to criminal cases in this State ?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I rise to a point of order. Can the member speak in English ?

MR. R. M. STATHAM (*Director of Public Instruction*) : I am aware of criminal prosecutions.

DEPUTY PRESIDENT: I wish the right of questioning by members is very sparingly used at this stage,

MR. R. M. STATHAM (*Director of Public Instruction*) : I want to say one word on the question of finance. One or two members have suggested that the Report does not clearly state the financial implications of the recommendations. I am not here to defend them. But I would like to point out that the specific points referred to by Mr. Krishna Pillai in regard to the residential system and the amalgamation of colleges are actually estimated for in the chapter on Finance. With regard to the fear of future taxation and the cost of future experiments in education, I just want to say that, if the Report is read carefully and if the proposals of the Committee are accepted, it will probably result in considerable savings of Government's revenue. The Report actually estimates in one portion a saving of something between 3 and 4 lakhs of rupees per annum if unnecessary, insufficient, and overlapping institutions are abolished.

With regard to the future taxation, it must be obvious that Government in these days of economic depression will naturally go cautiously and slowly before they put additional burden on the people of Travancore State. The major suggestions of the Committee with regard to the future finance of the schools is that Government should set up local bodies for general purposes and then entrust the management of schools to them. I do not think that, when times improve, it will be impossible to ask local people to raise local cesses through the medium of local bodies. Local people have already evinced great interest in the advancement of education by making contributions, not only for their own school buildings, but for departmental school buildings also. I believe, Sir, that, when times improve, local taxation through local bodies constituted for education, may not be so objectionable to the people of the State

Then about inspection. It has been suggested that the separate women Inspectorate was started because of fears about the relationship of women teachers to the men Inspectorate. I speak, Sir, subject to

correction, but I believe that these were not the reasons for starting a separate women Inspectorate. The special branch was created because the Administration at that time thought that, in the interests of the general advance of women's education, such a policy was desirable. Whether it has been successful or not, we must judge either by the recommendation of the Committee or by our own local knowledge. The Committee has pointed out that 65 per cent. of the girls who study in Vernacular schools actually receive instruction in boys' schools. Mixed staff and co-education are not new to Travancore. In many aided schools in villages, we find mixed staff a common feature. They are found even in departmental schools.

With regard to the Deputy Director, Mr. P. K. Narayana Pillai has objected to a senior officer being posted and trained for the Director's post. It is difficult to know exactly what Mr. Narayana Pillai actually does want ; he does not want as Director an outsider, that is clear. He does not want a Principal or a Professor. I am at a loss to know what class of officer Mr. P. K. Narayana Pillai would like to be recruited as Director of Public Instruction. Is it men like the senior member of the department ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : May I know from the member whether it is not desirable that the Deputy Director should have a mastery of the Vernacular of the State ?

MR. R. M. STATHAM (*Director of Public Instruction*) ; For that matter, it is good that both the Director and Deputy Director should have a knowledge of the Vernacular of the State.

The Auxiliary Committee of the Statutory Commission made striking criticisms with regard to the Head Offices of the Educational Department in all provinces in India and their complaint was that the seniormost officer, whether he happens to be a Principal or Inspector, who was likely to be promoted as Director, had no experience of the Head Office work when he assumed charge as Director. They brought to the notice of the British Government the necessity of appointing senior officers as Deputy Directors of Public Instruction. The Government of Travancore followed that principle and I think it is a good principle.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether the Education Reforms Committee has recommended the senior officer to be a Deputy Director of Public Instruction ?

MR. R. M. STATHAM (*Director of Public Instruction*) : The senior men in the department at present are all in the colleges.

Just one word in reply to the repeated criticism about married women. Mr. Kottur Kunjukrishna Pillai might well have left the married women, if he would permit me to say so, to the advocacy of the lady members. Purely on account of delicacy, I refrained from giving details of the various difficulties we are now having on account of the married women in service. But Mr. Kottur gave an elaborate picture

[Mr. R. M. Statham.]

to the House of ladies giving birth to a child every year and of their being forced to take leave for more than eight months in each year, and his exposition made it clear that, in any case, one year out of every three years of their services would not be available for the department. He only made their case very much worse than it would have been if he had left it to the lady members of the Assembly.

In reply to Srimati Narayani Amma, I may humbly say, Sir, that there is nothing illogical in the idea that we should not have married women in the Inspectorate, in the High Schools and in the Colleges and that we might have them in the Vernacular schools. In these Vernacular schools, especially in the primary schools, if we change the school hours to morning or evening, as suggested in the Report, the married women teachers can do their school work without prejudice to their household duties. The work in the Vernacular schools does not need any very great preparation at home as does the work in the higher grades of service in the department. There are a number of reasons I can give, Sir, to show why the suggestion in the Report is not illogical, had I the time to do so.

I just would like to add one word in regard to the suggestion that the abolition of the Vernacular middle school is going to be the death-knell of the Vernacular education in the State. Throughout my twenty years of service in the Education Department in India, I have been advocating the cause of the Vernacular not only as the medium of instruction but also as the medium of examination. From my personal experience, I can assure the House that I sincerely hope that the recommendation contained in the Report is going to serve the betterment and improvement of the Vernacular of the country rather than sound its death-knell.

Finally, I shall deal with the question of the Advisory Board itself. I could not understand the attitude of Mr. P. K. Narayana Pillai towards the Advisory Board, for which I actually moved for a grant the day before yesterday, or rather the first day of the Assembly. In effect, Mr. P. K. Narayana Pillai said " A Committee presided over by Mr. Statham came here, pointed out a lot of defects in the system of administration of the Education Department, Mr. Statham took charge of the post of Director of Public Instruction and then said 'keep out' those were his very words, I think—'you members of the Assembly must not have anything to do with improving things, keep out.' Now, Sir, that is exactly the opposite of what the Government have actually done. Government received the Report, found in it a recommendation to take the public into the confidence of the Government, and declared that their policy would be to consult the representatives of the people and to take their advice. They did not say 'keep out'; they said 'come in'. For the first time in the history of Travancore, Government propose to constitute an Advisory Body, consisting entirely

of non-officials, with whom they are prepared to discuss big questions of policy in regard to education. It was a good gesture on the part of Government, a friendly request to the people to 'come in and to co-operate' and not to 'stay out'.

There has been considerable criticism in regard to the personnel of the Advisory Board. I am glad to be in a position to give three assurances to this House in regard to the personnel of this Board and its working generally. One is that, in view of that has been said from many sections of this House, Government are prepared to have fifty per cent. of the members of the Advisory Board from the members of this Assembly and of the State Council, mainly from among the elected members. (*Hear, hear*). The second assurance is that Government are prepared to see, out of deference to the suggestion made by many members, that there should not be over-weightage of any particular type of interest in the Board, apart from the members of this Assembly and of the State Council. Thirdly, I would like to give an assurance on behalf of Government that, having listened for a considerable time to the fair criticisms and to the very prolonged discussion, on the admittedly complicated and numerous recommendations of the Committee, Government will not proceed with the major recommendations of the Committee without giving due consideration to the suggestions made by the members of the Assembly. (*Hear, hear.*)

I shall now commend the demand for the acceptance of the House.

DEPUTY PRESIDENT: A member raised the question as to whether, if this grant was allowed, it will create a kind of estoppel or *quasi* estoppel in regard to the Report, and its various recommendations. So far as I am able to see myself and so far as I have been able to gather from Mr. Statham's reply, I do not think any such inference can arise, because, in the present instance, there has been nothing more than a mere expression of opinion on the recommendations of the Committee, which are numerous, heterogeneous and sometimes divergent. Therefore, I am sure that no kind of estoppel or committal will arise.

The demand was then put to the vote of the Assembly and carried unanimously.

DEPUTY PRESIDENT: The motion is carried without opposition.

The grant was made.

The Assemby adjourned at 5-23 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
OF
THE TRAVANCORE SRI MULAM ASSEMBLY.

(*OFFICIAL REPORT*)

FIRST ASSEMBLY.

SECOND SESSION.

Wednesday, the 22nd November 1933/7th Vrischikam 1109.

The Assembly re-assembled in the Victoria Jubilee Town Hall at Eleven-two of the clock, the Deputy President presiding.

OATH OF OFFICE.

Mr. C. O. Madhavan was sworn in and he signed the Roll.

QUESTIONS AND ANSWERS.

Sub-divisions of the Christian community for recruitment to Public Service.

76. ***MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of sub-divisions recognised by Government among the Christian community in the matter of recruitment to the public service; and

(*b*) how many out of the above sub-divisions among the Christians are given separate chances in the matter of direct recruitment as Munsiffs?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) (1) Protestants.

(2) Roman Catholics

(i) Latin Rite.

(ii) Syriac Rite.

(3) Syrians

(i) Jacobite.

(ii) Mar Thoma.

(4) Church of England.

(*b*) Only two sub-divisions, *viz.*, Catholics and Non-Catholics.

MR. M. MAHOMED HANEEF (*Nominated*): May I know the classification in which the Muslims are put?

DEPUTY PRESIDENT: That question does not arise.

MR. N. JOHN JOSEPH (*Nominated*): ക്രിസ്ത്യാനികളെ ഡിവിഷൻതിരിച്ചതിൽ അധഃകൃതക്രിസ്ത്യാനികളുടെ സംഖ്യാബലത്തിനു തക്കവണ്ണം അവരെയും ഡിവിഷനായി തിരിക്കാത്തതിനുള്ള കാരണമെന്താണ്?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അടുത്തകാലത്ത് അധഃകൃതക്രിസ്ത്യാനികൾ എന്നു ഒരു വിഭാഗം കൂടി ചേർത്തിട്ടുണ്ട്.

G. P. T. 1000. 350. 8-7-09.

MR. N. JOHN JOSEPH (*Nominated*): ഈ സബ്ഡിവിഷനിൽ മുന്നിട്ടുനില്ക്കുന്ന ക്രിസ്ത്യാനികൾക്കുമാത്രമേ ഉദ്യോഗം ലഭിക്കുവാൻ മാർഗ്ഗമുള്ളു എന്നു ഗവണ്മെന്റു മനസ്സിലാക്കിയിട്ടുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അതിനെപ്പററി ഇപ്പോൾ അഭിപ്രായംപറയുവാൻ നിവൃത്തിയില്ല. ഇവിടെ ക്രിസ്ത്യാനികളുടെ സബ്ഡിവിഷനെപ്പററിമാത്രമേ ചോദിച്ചിട്ടുള്ളു. അതിനാണ് ഉത്തരംപറഞ്ഞതു്.

MR. N. JOHN JOSEPH (*Nominated*): അധഃകൃതക്രിസ്ത്യാനികൾക്കു ശരിയായ പ്രാതിനിധ്യം കിട്ടത്തക്കവണ്ണം അവരെ പ്രത്യേകം വിഭാഗമായി തിരിക്കാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): അവരെ പ്രത്യേകം വിഭാഗമായി തിരിച്ചിട്ടുണ്ടു്. അതുകൊണ്ടു് അവരുടെ സങ്കടം തീരുമെന്നാണ് വിചാരിക്കുന്നതു്.

MR. G. NILAKANTAN (*Nominated*): May I know whether the various denominations are given appointments according to the strength of the population?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): It is not exactly according to the numerical strength of each community that appointments are given.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether South Travancore Christians are classified as a separate community in the matter of giving appointments?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No.

Damage caused by breach of bund at Arasakulam Ela.

77. * **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state:

(*a*) whether they have received petitions from the ryots of Arasakulam and Amsi in Vilavankod taluk regarding the heavy loss they have sustained by reason of a breach of bund at Arasakulam Ela during the floods; and

(*b*) if the answer to part (*a*) is in the affirmative, whether they have taken any action to redress their grievances?

MR. L. H. JACOB (*Ag. Chief Engineer*): Yes. One petition was received from the ryots of Amsikulam by the Division Officer, Nagercoil.

(*b*) Yes. An estimate has been submitted by the Division Officer, Nagercoil, for closing the breaches in the Amsikulam surplus *kal* and is under scrutiny by the Chief Engineer.

Development of tannery.

78. *MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Will the Government be pleased to state why the scheme for the development of tannery submitted by the Director of Industries was rejected by the Government (*vide* Administration Report of the Department of Industries for 1107, page 11)?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Because the scheme was considered too costly.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I refer the member to the Government order in the departmental Administration Report which says that the Director of Industries should devote his special attention to the development of tannery?

DEPUTY PRESIDENT: You must put the question in a different form. You say, "may I refer," which is not a question for eliciting information.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir, I wish to know, if the member's attention has been drawn to a statement in the departmental Administration Report which says that the Director of Industries should devote his special attention to the development of tannery in the State and suggest radical changes in the different branches of his department.

DEPUTY PRESIDENT: That does not arise, because the answer is that the scheme was considered too costly.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): In the Government order nothing is mentioned about the scheme to be suggested by the Director and the Government says that the Director may submit his scheme. I am unable to reconcile these two statements, Sir.

DEPUTY PRESIDENT: You cannot cross-examine the member.

MR. G. NILAKANTAN (*Nominated*): May I know why the Government which directed the Head of the Industries Department to submit a scheme refuses to sanction his scheme?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): I have suggested a modest (less expensive) scheme as desired by Government and that has been sanctioned by Government.

MR. G. NILAKANTAN (*Nominated*): May I know, could not research work in the development of tannery be scientifically carried out?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Yes.

MR. G. NILAKANTAN (*Nominated*): May I know whether the leather manufactured here is approved by the local merchants?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Most of the leather manufactured is being utilised by the Stationery Department.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know how much amount is involved in the scheme suggested by the Director? An approximate amount will suffice?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): About Rs. 17,000.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Will the Government be profited by this?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): They might derive some profit, as this is a semi-educational concern.

MR. E. V. KRIHSNA PILLAI (*Pattanamtitta*): In this amount of Rs. 17,000, how much amount goes to the development of factories?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*) I claim notice.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): When the Director submitted this scheme which involves Rs. 17,000 to Government, were hopes held out by the Director in regard to the improvement of tannery in the State?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Yes; by the introduction of some machinery for the manufacture of a better class leather.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Did the Director think that he is justified in asking Government for an investment of Rs. 17,000 in view of the extent of utility that will be derived from the scheme now suggested and was it on the clear statement of all these facts that the Government rejected his scheme?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): The scheme was considered too costly.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): May I know whether the scheme was tried?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): It is being tried.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): Then may I know, how did Government come to the conclusion that the scheme was costly?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): The scheme was suggested in 1107 when there was economic depression.

T. B. at Changanachery.

79. *MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Will the Government be pleased to state:

(*a*) when the Changanachery T. B. was pulled down;

(*b*) why it was pulled down;

(*c*) whether it was because T. B. was unfit for use or because a T. B. is not necessary at Changanachery; and

(*d*) if the first, then, why a new T. B. has not been put up, not even begun?

MR. L. H. JACOB (*Ag. Chief Engineer*): (*a*) Karkatakam 1107.

(*b*) and (*c*) It was disposed of as it was unfit for use due to its dilapidated condition and its insanitary surroundings.

(*d*) Sanction has been accorded by Government to construct a new T. B., for which a fresh site has been acquired and an estimate for the building is under preparation.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know, when was the sanction made for a new building?

MR. L. H. JACOB (*Ag. Chief Engineer*): About the time when the old building was dismantled.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Was any amount allotted during the year?

MR. L. H. JACOB (*Ag. Chief Engineer*): Yes.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Is there any building now owned by Government or rented which is being used as a T. B.?

MR. L. H. JACOB (*Ag. Chief Engineer*): Just now, no.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know then, how the various Government officers camping at Changanachery accommodate themselves there?

MR. L. H. JACOB (*Ag. Chief Engineer*): I claim notice.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know whether there is any intrinsic connection between the absence of a T. B. and the various committees ignoring Changanachery?

DEPUTY PRESIDENT: That does not arise.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is there a T. B. at Tiruvalla?

MR. L. H. JACOB (*Ag. Chief Engineer*): There is a camp-shed.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know, which is the place where there is a T. B. close to Changanachery?

MR. L. H. JACOB (*Ag. Chief Engineer*): Kottayam.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know the distance between Changanachery and Kottayam?

MR. L. H. JACOB (*Ag. Chief Engineer*): 12 miles.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Are there any places in the State where two T. B.'s exist at such close quarters?

MR. L. H. JACOB (*Ag. Chief Engineer*): I think the answer is "no".

Advisory Chemist for the Tincture Factory.

80. ***MR. T. KRISHNA PILLAI** (*Neyyattinkara II*) Will the Government be pleased to state:

(*a*) who the Advisory Chemist is for the Tincture Factory attached to the General Medical Stores;

(*b*) what training he had in the matter of tincture manufacture;

(*c*) what qualification the tincture maker possesses and

(*d*) how many tinctures were prepared during the year 1108, and in what quantities they were prepared?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Mr. K. Sitarama Aiyar M. A., Assistant Professor of Chemistry, Science College.

(*b*) He was deputed to the Government of India Drug Factory attached to the Government Medical Stores, Madras, to study the methods of preparation and testing of the various tinctures.

(*c*) The tincture maker has been trained as analytical and pharmaceutical chemist in the School of Chemical Technology at Calcutta, which is affiliated to the City and Guilds Institution, London.

(*d*) A statement containing the names and quantities of tinctures prepared is given below:—

	Name of Medicine.		*Quantity.* Lbs.
1	Linementum Saponis	...	990
2	Liquor Ammonia Acetatis	...	1805
3	Liquor Epispasticus	...	6

[Rao Sahib Dr. N. Kunjan Pillai.]

	Name of Medicine.		*Quantity lbs.*
4	Tincture Asafoetida	...	195
5	Tincture Benzoin Co.	...	195
6	,, Calumbae	...	490
7	,, Camphor Co.	...	4000
8	,, Cardamomi Co.	...	2015
9	,, Cinnamomi	...	195
10	,, Ferri Perchlor	...	1485
11	,, Hammamelidis	...	97
12	,, Nucis Vomica	...	600
13	,, Opii	...	500
14	,, Rhei Co.	...	405
15	,, Zingiberis	...	6548
16	Vinum Ipecac	...	1100
17	Zingiberis Pulvis	...	300

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether the tinctures manufactured in the State stand any comparison, both in regard to quality and quantity, to those from outside?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I think the Medical Department is satisfied with the quality of tinctures made here.

MR. T. KRISHNA PILLAI (*Neyyattinkaru II*): Is it a fact that the same tincture manufactured at different times varies in colour and quality?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether any chemicals other than tinctures are manufactured in the factory?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether Government are getting a profit by running this factory?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether there are any private factories in the State for the manufacture of tinctures?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I am not aware.

MR. G. NILAKANTAN (*Nominated*): May I know wherefrom the spirit necessary for the manufacture of tinctures is obtained?

DEPUTY PRESIDENT: That does not arise.

MR. V. RAMAKRISHNA PANICKAR ((*Kartikapalli II*): May I know whether the tinctures referred to in the answer are used for public purposes in Travancore?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): They are used for treatment.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): Which is cheaper, the manufacture here or abroad?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Tinctures manufactured here are certainly cheaper.

The Alleppey Pier.

31. **MR. M. N. NAIR* (*Kottayam I*): Will the Government be pleased to state:

(*a*) whether they are aware that, due to the silting up of sand underneath the pier at the Alleppey Port, only two out of the six stages on the pier are now useful for loading and unloading goods;

(*b*) whether they are also aware that, due to the delay caused thereby, big steamers are reluctant to touch the port of Alleppey now-a-days; and

(*c*) what action they are taking both to remove the sand already silted up and also to prevent further silting up as at present?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) Out of the eight stages, including two steam cranes and two hand cranes on the pier for working cargo, four stages and two cranes are now useful for loading and unloading goods at all stages of the tide and two cranes also are workable at high tide.

(*b*) All possible temporary arrangements have been made to avoid delay to cargo work on the pier. Big steamers are calling at the port as often as here-to-fore and they are not reluctant to touch the port.

(*c*) Cutting of the sand ridges and removal of sand by hand bucket dredging and an excavation scheme for the removal of sand accreted have been sanctioned by Government on the recommendation of the Principal Port Officer. The hand bucket dredging work is in progress and will be continued for some time as a temporary measure. Government propose to obtain the services of an expert to investigate and report to Government the causes of sand accretion. Measures for the prevention of further silting will be considered on receipt of the report from the expert.

MR. M. N. NAIR (*Kottayam I*): With reference to answer to part (*b*), is not the bucket dredging scheme a source of loss to Government?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): That is only a temporary measure.

MR. M. N. NAIR (*Kottayam I*): For how long is this temporary measure to be continued?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Till a report of the expert is received.

MR. M. N. NAIR (*Kottayam I*): Has any expert been obtained to investigate the matter?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The Government are trying to get the services of an expert.

MR. M. N. NAIR (*Kottayam I*): Is it likely that the services of an expert will be got soon?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Government hope to.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know whether the largest crane, which lifts five tons, is working now?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*); Does the Government know that this silting up has substantially affected foreign and coastal trade in Alleppey?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Trade has been affected to some extent.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Are the Government alive to the seriousness of the situation in the Alleppey pier?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. EDAVANAT S. PADMANABHA MENON (*Shertala I*): Does the Government consider that urgent and immediate steps are necessary?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): That is why they are taking measures.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is it the report of the Port Officer that the stages and cranes useful for working cargo are sufficeently worked?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is the present state of affairs of the Alleppey Port found satisfactory for trade purposes?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertallai II*): May I know the number of steamers that touched at the Alleppey pier in 1108?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): That has been answered.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, is it a fact that the number of steamers that call at the port has decreased?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): It has not.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Then may I know how the member came to that inference if he does not know?

MR T. C. THOMMEN (*Ag. Secretary to Government*). That is the report of the Port Officer.

DEPUTY PRESIDENT: I would suggest that a successful manner in which short answers may be given to questions is, by making investigations in pursuance to a question and collecting all requisite information (*Hear, hear.*), for example in this question part (a),

> 'whether they are also aware that, due to the delay caused thereby, big steamers are reluctant to touch the port of Alleppey now-a-days......".

In a matter like this, the number of steamers that do touch is very important. The same is the case with regard to the working of the biggest crane. Not that I want to give any direction as to the framing of particular answers, but I am only saying that public business will be better facilitated and supplementary questions may not be put unnecessarily if such necessary information is collected in future. (*Hear, hear*).

Dispensary at Edapalli.

82. **MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) whether there is any representation for opening a dispensary at Edapalli;

(*b*) whether the Inspecting Medical Officer has reported to the Government for granting one to that place; and

(*c*) the decision of the Government in the matter.

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Yes.

(*b*) Yes.

(*c*) The matter will be considered when the opening of new dispensaries is sanctioned.

MR. K. MAHOMED (*Alwaye*): When was the representation made?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. K. MAHOMED (*Alwaye*): May I know the date on which the Inspecting Medical Officer reported for the opening of a dispensary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The information is not available.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): May I know, who is to meet the expenses in case the Edapalli Chief wants a hospital? Why does Government say that the matter will be considered when the opening of new dispensaries is sanctioned?

DEPUTY PRESIDENT: That does not arise.

The Madras Motor Vehicles Act.

83. ***MR. S. CHATTANATHA KARAYALAR** (*Shencotta*): Will the Government be pleased to state the result, if any, of the action taken by them with a view to give relief to motor owners of Travancore from the difficulties caused by the operation of the Madras Motor Vehicles Act?

MR. B. NARAYANA PILLAI (*Commissioner of Police*): The Government of Madras has been moved in the matter. This Government are awaiting their reply.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know when our Government addressed the Madras Government in the matter?

MR. B. NARAYANA PILLAI (*Commissioner of Police*): Six months ago.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Have Government received any reply from them?

MR. B. NARAYANA PILLAI (*Commissioner of Police*): Not yet.

Members f the Gowda Saraswath Community recruited as Munsiffs and Judges.

84. ***MR. M. K. JANARDANA KAMATH** (*Commerce and Industry, North*): Will the Government be pleased to state:

(*a*) whether there is any one belonging to the Gowda Saraswath community in the grade of Munsiffs or Judges in the State; and

[Mr. M. K. Janardana Kamath.]

(*b*) if the answer to part (*a*) is in the negative, whether it is due to want of qualified applicants for the posts?

RAO SAHIB DR. N. KUJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) None.

(*b*) There is one applicant for the Munsiff's place and also one for the Second Judge's place.

MR. M. K. JANARDANA KAMMATH (*Commerce and Industry, North*): Sir.——

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*); What is the numerical strength of the community?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): About 8,000.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is there any community approximating to this which is unrepresented in the way in which it is stated?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I think there are several such communities.

MR. T. P VELAYUDHAN PILLAI (*Tiruvalla II*): എനിക്കൊരു പായിൻറ് ഓഫ് ഓർഡർഉണ്ട്. അതായതു മററു സാമാജികന്മാർഉപചോദ്യം ചോദിച്ചതിനുശേഷം ചോദ്യം ചോദിച്ചമെമ്പർ ഉപചോദ്യം ചോദിക്കുന്നതു ശരിയാണോ?

DEPUTY PRESIDENT: In fairness to the member who asks the question, a reasonable time may be given to him so that he may make up his mind whether he is to ask his question or not. But Mr. E. V. Krishna Pillai has put a question and it has been answered.

MR. M. K. JANARDANA KAMMATH (*Commerce and Industry, North*): അപേക്ഷകന്മാരുണ്ടായിരുന്നിട്ടു അവരെ നിയമിക്കാത്തതിനുള്ള കാരണമെന്താണ് ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): മററപേക്ഷകന്മാരും ഉണ്ടായിരുന്നു. അവരുടെയും കാര്യംകൂടി ആലോചിക്കേണ്ടതായിട്ടുണ്ടായിരുന്നു.

MR. M. K. JANARDANA KAMMATH (*Commerce and Industry, North*): അടുത്ത ഒഴിവുവരുമ്പോൾ ഈ സമുദായത്തിൽ പെട്ട അപേക്ഷകന്മാരുടെ അവകാശങ്ങളെപ്പററി ഗവണ്മെൻറു ദയവായി ആലോചിക്കുമോ ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): മററുള്ള സമുദായങ്ങളോടുകൂടി ഈ സമുദായത്തിൻേറയും അവകാശങ്ങളെ ഗണിക്കുന്നതാണ്, എന്നുമാത്രമേ ഇപ്പോൾ പറയുവാൻ തരമുള്ളു.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether this community cannot be classed as a sub-division of the Brahmin community?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): It has been classed so in the Census Report.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether similar sub-divisions can be made among the Nair and Ezhava communities and treated for appointment?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether any separate turn is given to the Mahomedan community in regard to appointments?

DEPUTY PRESIDENT: The official member did not say about 'turn'.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): The official member said that the Gouda Saraswat Brahmins come under the cadre of Brahmins. In view of that, I wish to know whether any separate turn is given to the Muslim community.

DEPUTY PRESIDENT: That is not directly relevant.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether, in the classification of rotation given to the various communities, Mahomedan community is given a separate turn?

DEPUTY PRESIDENT: I did not hear of rotation in the answer. So, I disallow the question.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): One member asked about the Nair and the Ezhava community, so it is I asked about the Mahomedan community.

Registry of Lands to the K. D. H. P. Company.

85. ***MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Government be pleased to state:

(*a*) the area of land registered to the K. D. H. P. Company;

(*b*) whether the whole area is under cultivation;

(*c*) the uncultivated area under the Concession;

(*d*) whether the Government realise any tax on the uncultivated area;

(*e*) whether there were representations made in the Sri Mulam Popular Assembly for the assessment of tax on the uncultivated area; and

(*f*) whether the Government have taken any action in the matter?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): (*a*) 1,37,160 acres 53 cents.

(*b*) The whole area is not under cultivation.

(*c*) 92,134 acres 69 cents.

[Mr. K. George.]

(*d*) The Government do not realise tax for the uncultivated area.

(*e*) There was no representation made in the Sri Mulam Popular Assembly on this point.

(*f*) No.

MR. T. K. ALEXANDER (*Kunnatnad I*): May I know the extent of land cultivated by the K. D. H. P. Company in 1108?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The information is not available now.

MR. T. K. ALEXANDER (*Kunnatnad I*): In answer to part (*b*), may I know the date on which Government ascertained the extent of land brought under cultivation?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I claim notice.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): May I know whether any tax is levied for the uncultivated area?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): No, the land was leased to the company under a contract.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Have Government no right to resettle the contract?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Only when the next settlement comes can the question be taken up.

DEPUTY PRESIDENT: This question whether Government have the right to resettle the contract does not arise.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): The answer given to me was that, under the contract with the Company, Government have no right to levy assessment upon uncultivated lands. I am asking whether the time for a resettlement has come and whether Government cannot levy a tax upon those lands.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): At present, Government and the Company have an agreement between them and the transactions are governed by that agreement. I am not sure whether the question can be reopened.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Will the Government consider that?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The matter will be considered when resettlement is taken up.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഒടുവിൽ ഏതു സംസ്ഥലം കൃഷിക്കുപയുക്തമാക്കിയതു ഏതാണ്ടിലാണെന്നു പറയാമോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : I cannot say.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether it is not in the power of Government to reopen the question of assessment in regard to uncultivated lands?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : Reopening will mean modification of the agreement, and both parties to the contract must agree.

MR. K. R. ELENKATH (*Kalkulam I*) . May I know whether the terms of the contract can be revised?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : Neither party is debarred from reopening the question.

DEPUTY PRESIDENT : It is only reasonable that both sides have to consider the question.

MR. K. R. ELENKATH (*Kalkulam I*) : Was there any prior contract between the Government and the Company?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : I believe there was a previous agreement which was revised. When and in what circumstances it was revised, I do not know. It took place some years ago.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know the difference in period when it was revised?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : I do not know.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : May I know whether there is any penalty clause in the existing agreement?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : Penalty for what?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : If the company did not bring into cultivation lands not already cultivated within a specified period, a penalty is imposed for such default on the company.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : No.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Do Government consider it necessary in such agreements to insert a penalty clause?

DEPUTY PRESIDENT : That position can be considered only in a fresh agreement and not in an agreement already entered into. So, that question does not arise. I disallow the question on another point as well. Mr. Narayana Pillai asks whether new terms cannot be inserted in the existing contract. When new terms are included, it means a new contract.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know whether they have applied for further registry of lands?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I cannot say.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know whether the Company has applied or not for a further registry of lands?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I do not know.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know whether any application has been received from the Company for a further registry outside the Concession area?

DEPUTY PRESIDENT: That does not arise. The question whether Government can register lands outside this area on the application of the Company is a different matter.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): What is the reason of Government in not enforcing the land of the Company being brought into cultivation?

DEPUTY PRESIDENT: I disallow the question.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether Government have registered any area to this Company outside the Concession area?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I claim notice.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether Government have reserved any area of land to themselves within this Concession area?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) I believe a certain area within the Concession has been given to Government for use.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether there is some area in Devicolam which is in the possession of Government?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Yes.

MR. M. SIVATANU PILLAI (*Tovala*): In Munnar?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): There is a small area in Munnar also.

MR. M. SIVATANU PILLAI (*Tovala*): Is there any facility for the citizens of Travancore to get some portion of these reserved lands?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I do not know.

MR. M. SIVATANU PILLAI (*Tovala*): Can the member promise to assign some lands for Travancoreans?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I cannot make any such promise.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the Government realise the necessity of throwing open some lands for Travancoreans for the purpose of putting up buildings and staying there? Those reserved areas are more or less like a sanatorium.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Government have not received any application for that.

MR. M. SIVATANU PILLAI (*Tovala*): Do they at least realise the necessity for reserving some area from this Concession area for Travancoreans?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): This question was never previously brought to the notice of Government.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): In answer to part (*d*), may I know whether Government give such concessions to any other companies conducted by the sons of the soil?

DEPUTY PRESIDENT: The word 'other' makes some difficulty.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): What I want to know is whether such concessions have been given to any company conducted by the sons of the soil?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I cannot say whether any son of the soil applied for such a concession.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): From the answer given, may I take it that if any applications are received by Government, Government will extend the concession to them also?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Without knowing what sort of concessions they want, I cannot say in advance that any concession would be extended to them. The question will have to be decided on its merits.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): If the Company purposely did not bring cultivable portions into cultivation, have not the Government a right to levy tax?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): No, not at present.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know how long will this agreement be in force?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): 999 years.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether anything else can be cultivated in this uncultivated area than tea?

DEPUTY PRESIDENT: Do you refer to the scientific possibility of cultivation or of the right of the Company?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): For all these details, the agreement has to be examined.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : In answer to part (*e*), may I know whether attention of Government was drawn to this discussion and whether there were representations made in the Sri Mulam Popular Assembly on the assessment of tax on the non-cultivated area ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I do not recollect all that.

MR. N. E. VARUGHESE (*Tiruvalla I*): കൂടുതൽ സ്ഥലം കൃഷിചെയ്യുന്നുണ്ടോ എന്നറിയുന്നതിനു ഗവൺമെൻറിനു വല്ല ഏജൻസിയുമുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : കമ്പനി റിപ്പോർട്ടുചെയ്യണമെന്നും റവന്യൂആഫീസർമാർ പോയിനോക്കാമെന്നും ഏർപ്പാടുണ്ട്.

MR. N. E. VARUGHESE (*Tiruvalla I*): റവന്യൂഉദ്യോഗസ്ഥന്മാർ പോയി നോക്കാമെന്നല്ലാതെ "നോക്കണം" എന്നു ഏർപ്പാടു ചെയ്തിട്ടുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Inome Tax Commissioner*): അറിഞ്ഞുകൂടാ.

MR. N. E. VARUGHESE (*Tiruvalla I*): അടുത്തകാലത്തു കൂടുതൽ സ്ഥലം കൃഷിചെയ്തതായി റിപ്പോർട്ടു കിട്ടിയിട്ടുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) ഇല്ല.

Qualification for admission to the Vaccination Class.

86. ***MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*) : Have the Government made any concessions for the educationally backward communities in regard to the qualifications prescribed for admission to the Vaccination class ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Exemption from the examination qualification prescribed for admission to the Vaccination class is being granted to candidates possessing sufficient knowledge in English and other subjects to understand the lectures in the class and sit for the examination.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) : What is the minimum qualification prescribed for admission to the Vaccination class?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : E. S. L. C. Examination.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether any preliminary examination is held for backward communities in the matter of admission?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : If candidates do not possess the minimum qualification, they will be tested to see whether they have sufficient knowledge of the language to be able to understand lectures given in classes.

MR. K. R. ELENKATH (*Kalkulam I*) : Is that test generally held ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I should think so.

MR. N. JOHN JOSEPH (*Nominated*): VI ഫാറംവരെ പഠിച്ചിട്ടുള്ള അധഃകൃതരപേക്ഷിച്ചിട്ടും അവരുടെ ക്വാളിഫിക്കേഷൻ പോരാ എന്നു പറഞ്ഞു തള്ളിയതായിട്ടറിയാമോ?

RAO. SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : മിനിമം ക്വാളിഫിക്കേഷനില്ലാത്ത പലക്കും എക്സെംപ്ഷൻ കൊടുത്തിട്ടുണ്ടു. ക്ലാസിൽ നടക്കുന്ന ലക്ചേർസ് മനസിലാക്കാൻ ത്രാണിയുണ്ടായിരുന്നാൽ എക്സെംപ്ഷൻ കൊടുക്കാമെന്നാണു വച്ചിരിക്കുന്നതു.

MR. N. JOHN JOSEPH (*Nominated*): VI ഫാറംവരെ പഠിച്ചവർക്കു അവിടെ നടക്കുന്ന ലക്ചേർസ് മനസിലാക്കാൻ ത്രാണി ഉണ്ടായിരിക്കയില്ലേ?

RAO. SAHIB. DR. N. KUNJAN PILLAI (*Ag Chief Secretary to Government*) : ചില ലക്ചേർസ് മനസിലാക്കാനുള്ള ഇംഗ്ലീഷ് ജ്ഞാനം ഇല്ലാതിരുന്നേയ്ക്കാനും മതി.

MR. N. JOHN JOSEPH (*Nominated*) : VI ഫാറംവരെ പഠിച്ചിട്ടുള്ള അധഃകൃതർക്കു മാത്രം ഇതു മനസിലാക്കാനുള്ള ത്രാണിയില്ലെന്നും, മററുള്ളവർക്കു് മനസിലാക്കാനുള്ള ത്രാണി ഉണ്ടെന്നുമാണോ പറയുന്നതു്?

DEPUTY PRESIDENT: That does not arise.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether lectures are given or only tuition?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Lectures are also given.

MR. C. V. KUNJURAMAN (*Nominated*): വിദ്യാഭ്യാസത്തിൽ പിന്നോക്കംനിൽക്കുന്ന സമുദായങ്ങൾ ഏതെല്ലാമാണു്?

RAO. SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*) : അതിലേക്കു ഗവണ്മെൻറു് ഒരു ജി. ഒ. പ്രസിദ്ധപ്പെടുത്തിയിട്ടുണ്ടു്. ആ സമുദായങ്ങൾ ഏതെല്ലാമാണെന്നുള്ള വിവരം ഇപ്പോൾ എൻെറ കൈവശമില്ല. ഇനി ഒരവസരത്തിൽ ചോദിച്ചാൽ പറയാം.

Supply of drinking water for Alapad and Cheriazheekal.

87. *MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): Will the Government be pleased to state whether they have taken satisfactory action with regard to the supply of good drinking water to the inhabitants of Alapad and Cheriazheekal, where there is always dearth of pure drinking water?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): എന്തെല്ലാമാണു ചെയ്തുകൊടുത്തിട്ടുള്ളതെന്നു ദയവായി പറയാമോ

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): The sinking of two wells for Alapad has been sanctioned, one in S. No. 204 and the other in S. No. 193, of Kulasekharapuram pakuthi; and as early as 24-12-1107, the Sanitary Circle Officer Kayankulam, had reported that the two wells were nearing completion. Government also sanctioned the sinking of wells at an estimated cost of Rs. 480 in Cheriazheekal, Kuzhithurai and Kuzhikulam, the villagers having agreed to surrender the lands free. The Land Revenue Commissioner was asked to send up the necessary draft declaration for the acquisition of the land on payment of nominal compensation.

Ayurveda Hospital.

88. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) the average number of patients that were under treatment per annum for the last three years in the Ayurveda Hospital at Trivandrum;

(*b*) whether they are aware that the Hospital has not sufficient accommodation;

(*c*) whether they have sanctioned additional beds in the Hospital; and

(*d*) if the answer to part (*c*) is in the affirmative, why it was not brought into force?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*)

		In-patients.	*Out-patients.*
1106	...	177	49,975
1107	...	145	52,878
1108	...	183	62,866

(*b*) The answer is in the affirmative.

(*c*) Yes. The number of beds has been increased by six.

(*d*) Arrangements are being made to fit up the additional beds.

MR. S. J. NAIR (*Nedumangad*): May I know whether the number of *Vydians* has increased or not increased?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know why this hospital is located in a place where there is not sufficient accommodation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): That is why I said that arrangements are being made to fit up additional beds. When the hospital was started, there was sufficient accommodation; and as the number of patients increased, additional accommodation had to be provided. Six additional beds have newly been sanctioned and arrangements are being made for putting them.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Does the Government propose to house the hospital in a more spacious building?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): No. Only additional beds are being provided.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Do the Government realise that the building in which it is housed now is satisfactory?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*: Additional beds are being provided.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether the building where this hospital is held has sufficient accommodation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): When more accommodation is needed, Government will make provision for the same.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know, at present, whether the Government are satisfied with the accommodation in the hospital?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): They are.

A Dispensary for Ayoor.

89. **MR. A. EASWARA PILLAI** (*Kottarakara*): Will the Government be pleased to state whether they have received a petition, for the establishment of a dispensary at Ayoor, from the people of the place and whether any action is taken on the petition?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes. The question of opening new dispensaries is postponed to better times.

MR. A. EASWARA PILLAI (*Kottarakara*): May I know whether there is any dispensary established by Government or by private agencies anywhere between Vamanapuram and Kottarakara?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): I claim notice.

A play ground for the Kottarakara English High School.

90. **MR. A. EASWARA PILLAI** (*Kottarakara*): Will the Government be pleased to state:

(*a*) whether any play ground has been provided for the Kottarakara English High School;

(*b*) whether any action has been taken for acquiring a play ground; and

(*c*) whether they are aware that students find it absolutely impossible to have any field game for want of a school play-ground or public play ground?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) Yes, but it is not sufficient for the requirements of the school.

(*b*) and (*c*) Yes.

UNSTARRED QUESTIONS AND ANSWERS.

Statement by Caste of Medical Staff.

15. **SRIMATI T. NARAYANI AMMA** (*Nominated*): Will the Government be pleased to lay on the table a statement by caste, of the present professional staff of the Medical Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): A statement furnishing the required information is given below:—

Caste-war statement of the present professional staff of the Medical Department.

Caste.	Darbar. Physician.	Deputy Darbar Phycician.	Surgeons.	Deputy Surgeons.	Assistant Surgeons.	Sub-Assistant Surgeons	Apothecaries.	Total.
I. *Hindus.*								
a. Brahmin (Malayala)	..	..	..	..	..	..	..	..
b. Do. (Others)	..	..	1	3	3	10	..	17
c. Nadar	..	..	..	..	..	..	..	..
d. Ezhava	..	..	..	1	2	7	..	10
e. Kammala	..	..	..	..	..	.	..	..
f. Kshatriya	.	..	..	1	..	..	..	1
g. Nair	..	..	..	3	7	23	1	34
h. Pulaya	..	..	..	..	..	..	..	..
i. Other depressed classes	..	..	..	..	..	1	..	1
j Vellala	..	..	..	..	1	7	..	8
k. Other Hindus	.	..	..	1	2	3	..	6
II. *Mussalmans.*	..	..	..	..	..	..	..	..
III. *Christians.*								
a. Protestant	..	1	1	2	1	5	..	10
b. Roman Catholics { 1. Latin	..	..	1	1	3	5	..	10
Roman Catholics { 2. Syrian	..	..	..	1	1	1	.	3
c. Syrians { 1. Jacobite	..	..	..	2	3	13	..	18
Syrians { 2. Marthoma	..	..	..	..	6	6	..	12
d. Church of England	1	..	..	3	8	2	..	14
e. Depressed classes	..	..	..	..	..	..	..	..
IV. *Others.*	..	..	..	..	..	..	..	..
Total	1	1	3	18	37	83	1	144

Medical Aid to Women.

16. **SRIMATI T. NARAYANI AMMA** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of women treated as in-patients and out-patients in the Government medical institutions of the State in 1105, 1106, 1107 and 1108;

(*b*) the number of Lady Doctors in the department;

(*c*) whether there has been a demand from the public for raising the number of such Lady Doctors;

(*d*) whether there are Lady Doctors in the hospitals in all the centres where there are no women's hospitals; and

(*e*) the number of women treated in the hospitals for women?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*)

Year.	*No. of cases treated*
1105	5,30,897
1106	6,20,804
1107	6,03,353
1108	6,68,938

(*b*) 19.

(*c*) Yes.

(*d*) No.

(*e*) 91,041, in 1108.

A Munsiff's Court at Ambalapuzha.

17. **MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*): Will the Government be pleased to state:

(*a*) what, if any, step has been taken to shift one of the two Munsiffs' Courts, now held at Alleppey, to Ambalapuzha; and

(*b*) whether any representation has been made to Government by the people in the above behalf and whether they have given any reply to the same?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) The question of shifting one of the Munsiffs' Courts from Alleppey to Ambalapuzha, as also the other proposals of the Law's Delays Commissioner, relating to the redistribution of Munsiffs' Courts, have been referred to the High Court and revised proposals have been called for from them, in view of the increase in the number and jurisdiction of the Village Panchayat Courts and the divesting of the Munsiffs at Shencotta, Nedumangad, Changanachery, Kanjirapally and Todupuzha, of their Magisterial powers, which is bound to reduce the work of the Munsiffs to an appreciable extent.

(*b*) A representation, dated the 14th Kanni 1109, has been received from the inhabitants of Ambalapuzha, praying for the shifting of one of the Munsiffs' Courts at Alleppey to Ambalapuzha and the High Court have been requested to expedite their proposals in the matter.

Appointment of members of Krishnanvaka Community in the Secretariat.

18. **MR. R. SIVASUBRAMONIA NADAR** (*Agastisvaram*): Will the Government be pleased to state whether they have received any application from members of the Krishnanvaka community for clerk's place in the Secretariat, before additional staff was entertained in connection with the new Assembly?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): Yes.

Appointment of clerks in the Secretariat.

19. **MR. R. SIVASUBRAMONIA NADAR** (*Agastisvaram*): Will the Government be pleased to state.

(*a*) the number of clerks appointed in the Secretariat from the year 1095 till the 15th Thulam 1109: and

(*b*) the number of persons appointed from the Krishnanvaka community during that period?

RAO SAHIB DR. N. KUNJAN PILLAI (*Ag. Chief Secretary to Government*): (*a*) 137.

(*b*) Nil.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Sir, before we proceed any further, I wish to know whether it is a fact that the Dewan President of the House is going to leave us shortly and that he will not be available for the next time the Assembly meets. I want the information particularly because it is only fair to the House that we are given an opportunity to bid farewell to him.

DEPUTY PRESIDENT: That is a matter, in which, according to the Regulation and the Rules, I am unable to give an answer. I certainly recognise the solicitude on the part of the members for such a ceremony. I shall inform Mr. Austin about this. Nothing more I am able to undertake.

We will now proceed to the legislative business.

LEGISLATIVE BUSINESS.

HINDU LAW OF INHERITANCE AMENDMENT BILL.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Sir, I move that the Hindu Law of Inheritance Amendment Bill be read in the Assembly.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Sir, is it a motion for leave to introduce?

DEPUTY PRESIDENT: Yes, it is a motion for leave to introduce. He has tabled a motion and if that is granted the bill may be introduced.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): But he said that the Bill may be *read*.

DEPUTY PRESIDENT: I think Mr. Chidambaram Pillai's motion comes under Rule 84. There it is stated—

> "If a motion for leave to introduce a Bill is opposed, the President after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from a member who opposes the motion, may without further debate put the question."

Anybody opposing the motion for leave to introduce the Bill?

The leave, with the permission of the House, was granted.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) I move that the Bill be read in the Assembly.

DEPUTY PRESIDENT : Not today.

We shall proceed to the next Bill.

THE CRIMINAL PROCEDURE CODE AMENDMENT BILL.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ക്രിമിനൽ പ്രൊസിഡ്യർകോഡിലുള്ള പല വകുപ്പുകളെ സംബന്ധിച്ചും അവശ്യംവേണ്ട ഭേദഗതികൾ ഉൾപ്പെടുത്തി ഒരു ബിൽ അധികം കാലതാമസം കൂടാതെ ലാമെമ്പർ ഹാജരാക്കുന്നതാണെന്ന് ഞാൻ വിശ്വാസയോഗ്യമായിട്ടറിയുന്നു. അതു താമസിയാതെ ഹാജരാക്കാമെന്നു ലാമെമ്പർ വാഗ്ദാനം ചെയ്യുന്നപക്ഷം ഈ ബിൽ ഇപ്പോൾ അവതരിപ്പിക്കുന്നതിനു അനുവാദം ചോദിക്കണമെന്ന് ഞാൻ വിചാരിക്കുന്നില്ല

DEPUTY PRESIDENT : Do you want the leave or not?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, if you permit me, I will just say that the Government have the intention of amending the Criminal Procedure Code as a whole. Although, as matters stand at present, I cannot undertake to bring a Bill within a definite time, I may say that this Bill is one of the Bills that Government are holding for immediate preparation.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvallu III*) : ലാമെമ്പറുടെ വാഗ്ദാനമനുസരിച്ചു ഞാൻ ഈ ബിൽ ഇപ്പോൾ അവതരിപ്പിക്കുന്നതിനു അനുവാദംചോദിക്കുന്നില്ല.

DEPUTY PRESIDENT : So you do not make the motion?

The motion was not made.

A BILL RELATING TO THE VALUATION OF IMPROVEMENTS ON LAND.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : I beg leave of the House to introduce the Bill called "A Bill relating to the Valuation of Improvements on land."

MR. M. N. NAIR (*Kottayam I*) : I second it.

The motion, by leave of the House, was granted.

AMENDMENT OF STANDING ORDERS.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I beg to move the amendments to the Standing Orders.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

DEPUTY PRESIDENT: The amendments are

1. In Standing Order No. 5 (1), substitute "sittings" for "meetings".
2. In Standing Order No. 5 (1), substitute "decision of the Assembly" for "direction of the Dewan".
3. In Standing Order No. 5 (1), substitute "5-15 P. M." for "4-30 P. M."
4. At the end of Standing Order No. 6 (1) add the following:—

"But the number of days for the business of non-official members shall be increased if the Assembly is of opinion that the time allotted for such business is insufficient."

5. In Standing Order No. 9, substitute "sitting" for "meeting".
6. In Standing Order No. 11, substitute "send" for "make every effort to circulate".
7. For Standing Order No. 12, substitute the following:—

"Questions which have not been disallowed shall be numbered and printed and sent to each member at least three days before the commencement of each meeting. The numbers of questions to be answered shall be included in the list of business for the day and such questions and their answers shall be laid on the table half an hour before the sitting commences".

8. For Standing Order No. 70, substitute the following:—

"After a draft has been referred to a Select Committee, the procedure prescribed by Standing Orders numbers 38 to 46 shall, as far as may be, be followed".

9. In Schedule I Rule 4, substitute "eight" for "six" between "and" and "numbers."

Has the member leave of the Assembly?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I object under Rule 84.

The motion was put to the vote of the House and carried.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I move that it be referred to a Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The Rule is that if the motion is carried, the names are to be suggested in the manner directed by the President.

DEPUTY PRESIDENT: Yes, you may propose the names.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I propose the names of the following members to serve on the Select Committee :—

1 Mr. T. K. Velu Pillai (Deputy President),
2 ,, Kayalam Parameswaran Pillai (Law Member),
6 ,, V. T. Chacko,
4 ,, V. Ramakrishna Panickar,
5 ,, Kainikkara M. Padmanabha Pillai,
6 ,, V. K. Velappan Nair,
7 ,, K. A. Narayana Pillai,
8 ,, Pacode A. Narayana Pillai.
9 ,, A. S. Damodaran Asan,
10 ,, T. P. Ramasubba Aiyar, and
11 ,, Changanachery K. Parameswaran Pillai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): എനിക്കൊരു പോയിൻറ് ഓഫ് ഓർഡർ ഉണ്ട്. ഹാജരില്ലാത്ത മെമ്പർമാരുടെ പേര് സിലക്ട് കമ്മിററിയിൽ ഉൾപ്പെടുത്തുന്നതിനു വിരോധമില്ലേ എന്നുള്ളതാണ് അത്.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): What the Standing Order says is that the President may suggest the names of the members.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The question raised by Mr. T. P. Ramasubba Aiyar is that the election of members must be determined by you. The President, if he thinks so, can give an opinion on the matter after lunch.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): The President can determine how the members should be elected and he has asked Mr. Asan to do so and he has done so.

DEPUTY PRESIDENT: I have listened to the arguments from both sides of the House. Because of the term "President", some difficulty arises Under Rule 190 (2) the members of the Select Committee may be selected in this manner. The words used there are "the remaining members shall be selected by the Assembly in such manner as the President may determine". "In such manner as the President may determine" means the procedure to be followed in the Assembly while it is in session and therefore the Deputy President, he having all the powers of the President. The chair having directed the nomination of the members, the whole procedure may be accepted as right and proper.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സെലക്ട് കമ്മിററി നിയമിക്കുന്ന അവസരത്തിൽ ഇവിടെ ഹാജരില്ലാത്ത മെമ്പർമാരുടെ പേരുകൂടി ഉൾപ്പെടുത്തുന്നതിൽ വിരോധമില്ലേ?

DEPUTY PRESIDENT : Your doubt, Mr. T. P. Velayudhan Pillai, is whether the names of absent members can be included. But has the name of any absent member been actually mentioned to serve in the Select Committee?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : Yes, Sir.

DEPUTY PRESIDENT : What is the practice, Mr. Kayalam Paramesvaran Pillai?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It is left to the discretion of the person presiding to decide.

DEPUTY PRESIDENT : It is conceded that it is a matter of discretion with the person presiding. The Rules do not say—I have read the Rules carefully—that a written undertaking, to serve on committees, is necessary. Further, in matters like this, the person chosen as a member of a Select Committee is obliged to serve on it. That is the Rule in other legislatures as well. I therefore think that the temporary absence of a member from the House does not disentitle him from becoming a member of a Select Committee.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I may also add that Mr. Asan assured the House that that absent member was willing to be a member of the Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Suppose the gentleman is not willing. What will be the effect?

DEPUTY PRESIDENT : That we shall consider later.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : On a point of order, Sir. What right has Mr. Asan to nominate the Deputy President and the Law Member to the Select Committee?

DEPUTY PRESIDENT: The Standing Order itself says that the Deputy President and the Law Officer shall be members.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : So, I am bound to include them.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : My point is whether Mr. Asan has got the right to nominate them, especially when, under the Rules, they will be members even without any such nomination.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : I also wish to get a ruling on that point, Sir.

DEPUTY PRESIDENT : I think too many points are being raised simultaneously for ruling. I cannot possibly carry all of them in my memory. I shall decide them, one by one. What are the points, please? I saw several members standing up at the same time. Members, who want points of order to be decided by me may now stand up one by one.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : The point I raised was whether Mr. Asan has the right to name the Deputy President and Law Officer of Government as members of the Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): The Committee having been appointed, I wish to know whether a point of order can be raised now, whether it is not too late?

DEPUTY PRESIDENT: The action of Mr. Asan in nominating the Deputy President and the Law Member as members of the Select Committee does not collide with the provision in the Rules and Standing Orders. After all, his nomination was a surplusage. That is all. The point raised is not, therefore, a material one.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): In the event of the House voting against the whole motion, what will happen, Sir?

DEPUTY PRESIDENT: When such a difficulty arises, I shall give a ruling. Now, the House has chosen to accept it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The motion has not yet been carried, Sir; I have some amendments to make to it.

DEPUTY PRESIDENT: I think, in the light of the Rules, Mr. Asan may modify his motion suitably.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I move that the Amendments to the Standing Orders may be referred to a Select Committee consisting of the following gentlemen, in addition to the Deputy President and the Law Member:—

Messrs. V. T. Chacko,
,, V. Ramakrishna Panickar,
,, T. P. Ramasubba Aiyar,
,, Changanachery K. Parameswaran Pillai,
,, Kainikkara M. Padmanabha Pillai,
,, V. K. Velappan Nair,
,, K. A. Narayana Pillai,
,, Pacode A. Narayana Pillai, and myself.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move that the names of Dr. Kunjan Pillai, Mr. P. K. Narayana Pillai and Mr. N. K. Krishna Pillai may be added.

MR. S. J. NAIR (*Nedumangad*): I second it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I accept the amendment, Sir.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): The time for reporting, Sir?

DEPUTY PRESIDENT: Four months as in the previous Bills.

The motion was put to vote and carried.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

MR. EDAVANATT S. PADMANAHBA MENON (*Shertala I*): Sir, I move

"That this Assembly recommends to Government that early steps be taken to give additional facilities in the matter of shipping and freightage so Travancore merchants dealing in cocoanut products to enable them to compete successfully with foreign competitors."

In moving this resolution for the acceptance of the House, I may be permitted to state generally certain facts in connection with the abnormal fall in the price of cocoanut products. It is a question intimately affecting us. In fact, to the Travancorean, no other question is more important now than the abnormal fall in the price of cocoanut products. The question is so enormous and is of such vast importance that it is no exaggeration to state that the major portion of our State revenue is entirely dependent, in one form or another, on the income derived from cocoanut products. Viewing the question from the standpoint of the ordinary Travancorean, it is the mainstay of the people. If this abnormal fall is to continue as a permanent feature, no Travancorean can look at the future of Travancore without a shudder. The average Travancorean thinks, and thinks rightly, that the vastness and seriousness and importance of this great question is not fully realised by the Government and that the Government are not as prompt in this matter as the people would wish. Just to impress upon the House the vastness of our export trade in cocoanut products, I crave the indulgence of the House to quote a few figures :—

		Rs.
The total value of copra exported in 1107	...	41,77,461
" cocoanut husk	...	10,84,022
" coir	...	68,31,445
" cocoanut oil	...	54,35,493

On an average, 30 to 35 crores of cocoanuts go out of the country every year. One candy of cocoanut oil used to fetch, during the boom, nearly Rs. 200. Now, it has come down to Rs. 75. On a rough estimate, about 6,00,000 acres of land are under cocoanut cultivation in Travancore, 5,57,000 acres to be more exact. There are 21 oil-mills in the State, with a total investment of about Rs. 30,00,000, 11 mills in Alleppey, 6 in Shertala, 3 in Quilon and 1 in Trivandrum.

Analysing the situation, what do we find? What are the forces that have brought about this abnormal fall in the price of cocoanut products? What are the causes over which we have control? Is there over-production or keen competition? Are we incapable of retaining our original markets in British India and elsewhere? Has the tariff question any share in the fall of the prices of cocoanut products? Is this fall nothing more than one aspect of the general fall in the price of all goods? My submission to this House is that each one of these factors has contributed its own quota.

I shall first deal with the question of over-production. The total area under cocoanut cultivation, in the whole of India, is nearly 1,35,0000 (13 1/2 lakhs) acres. The total area of cocoanut cultivation in Travancore, as I have already stated, comes to nearly 6 lakhs of acres of land. Experts say that there is in fact no over production in India, that Malabar, which is the main source of cocoanut supply, is not at present in a position to supply all the demands of the British Indian markets and they again say that the average yield per year per tree in Travancore is less than 20 nuts; that the yield must be raised to at least 25 or 30 nuts per

[Mr. Edavanatt S. Padmanabha Menon.]

year; that is 250 nuts at least must be increased in an acre of cocoanut cultivation to meet the entire demand of the British Indian markets. So, we see that the real cause is not over-production so far as Travancore, Cochin and Malabar are concerned. We know that, in recent years, Ceylon, Federated Malaya States and other places have taken to intensive cultivation of cocoanut trees. The extent of Ceylon is approximately 25,000 sq. miles with a population of nearly 41 lakhs. Out of the total area of Ceylon, 11 lakhs of acres of land are under intensive and scientific cultivation of cocoanut trees. It might be news to the members of the House that there is practically no land tax in Ceylon. Here we have land tax, customs, export duties and again other indirect taxes on the produce of the cocoanut tree. In Ceylon there is no land tax and the cocoanuts are not actually plucked from the trees, but they fall after becoming maturely ripe. So, the quality will be also superior to our produce. In 1931 Ceylon exported to India nearly 1,05,620 cwts. of cocoanut oil, whereas in 1932 we see that the figure is more than double. Up to 1931 only a small quantity of copra was sent to India from Ceylon, whereas in 1932 we see nearly 41,000 tons of copra being imported to India from Ceylon. There is also a well-organised and efficient Chamber of Commerce functioning in Ceylon. From these, the House will realise that, unless we make a supreme effort, Ceylon competition will kill our industry. Ceylon has already captured the European market, and is now rapidly displacing us so far as the British Indian market is concerned. We must take into consideration this significant fact also, that 65 per cent of the copra produced in Ceylon is being crushed into oil in Ceylon itself and that only 35 per cent. is exported from Ceylon to outside countries as copra. Here the question of tariff duty comes in. The House is well aware of the tariff question, the Ottawa Conference and the agreement regarding preferential treatment of Empire goods, that I need refer only in general terms to them.

DEPUTY PRESIDENT: I want to point out to you, Mr. Padmanabha Menon, that out of the 20 minutes you have already taken 10 minutes.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Because of the representations and agreement arrived at between the representatives of Ceylon and the Government of India, they have already reduced a five per cent. duty from the existing duty of 30 per cent. on cocoanut produce imported into India from Ceylon. But substantially the Ceylon people get a reduction of 10 per cent. For, many of the members know that for tariff valuation, an artificial valuation is given to the articles that are imported and exported. So they get a substantial reduction of 10 per cent. and there is a strong agitation on the part of the Ceylon public and their Government to do away with the whole duty, so that they can have a free importation of their goods into India, on the understanding that they will purchase large quantities of North Indian cotton

in exchange. This mutual and amicable agreement that might be arrived at between the Ceylon Government and the British Indian Government will hit us hard and I do not know where the people of Travancore will be, unless we take up seriously this question and agitate in the Press and on the platform, and impress on the Imperial Government the seriousness of the problem. As the hands of the Government of India are already full with other matters, if this local question, is to assume corresponding importance in the eyes of the Government of India, we should move vigorously in the matter and substantial and sincere efforts of our Government are necessary.

Then I go to the next question whether we are in a position to retain the British Indian market. Here the duty that has been imposed by our own Government on the export of cocoanut produce from Travancore comes in. Our Government derives annually nearly Rs. 15 lakhs on this. On one candy of copra the tax is Rs. 4-12 as., on one candy of cocoanut oil it is Rs. 2-9 as. and on one candy of punnac it is Re. 1-8 as. The total estimated income per year is approximately nearly Rs. 15 lakhs. Our Government must seriously consider whether it is not advisable in the wider interests of the peasantry of Travancore on whom the future of this country depends to make a substantial reduction of export duty and give some relief to the people. In Bengal nearly three hundred soap and hair oil factories are working and the major portion of the cocoanut oil required in Bengal was being supplied by Travancore. But in Bengal we are now being rapidly displaced. Here I come mainly to the proposition just before the House that, because of the lack of facilities, Travancore merchants are seriously handicapped. The Travancore merchants are seriously handicapped in selling their goods to advantage in the foreign markets and they find it increasingly difficult to retain the foreign markets. Ceylon copra reaches Madras within twenty-four hours, from Ceylon, I am told, whereas exports from Alleppey take nine to ten days to reach Madras and Rs. 8 or Rs. 9 is insisted as freight charges by the South Indian Railway Company. Because of the efficient organization of the Ceylon Chamber of Commerce and because of the combined efforts of the Ceylon Government and of their merchants, they manage to deliver their copra at a nominal freight charge to Alleppey, Cochin, Karachi, Bombay and Madras. There is very real difficulty experienced by the merchants in Alleppey because of the convention rate that is prevailing as regards freight charges. Though there is the usual convention rate prevailing, there are very many factors working to increase freight charges in practice.

MR. K. C. KARUNAKARAN (*Nominated*): Is there any difference in freight from Colombo to Bombay and also from Alleppey to Bombay on copra or any other cocoanut produce?

EDAVANATT S. PADMANABHA MENON (*Shertalla I*): Yes, there is a difference of Rs. 2 in the freightage from Alleppey to Bombay. My submission is that the question is a very serious one. We are hedged in with difficulties on all sides. There is the foreign competition,

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): എനിക്കു് ഒരു പോയിൻറ് ഓഫ് ഓർഡർ ഉണ്ടു്. അതായതു് സ്റ്റാൻറിംഗ് ഓർഡർ പാര ൧൪൮, സബ് ക്ലാസ് ൩ അനുസരിച്ചു് ഒരു മോഷൻ ഒരാൾ ഹാജരാക്കുകയും അതിനെ ഒരാൾ സെക്കൻറു ചെയ്യുകയും ചെയ്യുന്നതിനു മുമ്പായിട്ടു ചോദ്യം ചോദിക്കാൻ മററു മെമ്പർമാർക്കു അവകാശമില്ലെന്നുള്ളതാണു്.

DEPUTY PRESIDENT: Mr. Padmanabha Menon, you may sit down for a minute. May I know what is the rule you refer to, Mr. Velayudhan Pillai?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): Paragraph 148, sub-clause (3) at page 45.

DEPUTY PRESIDENT: There the word "question" means putting a matter to the vote of the House. Whenever a member is in possession of the House, it is open to any member, if he wants an answer to a question which is relevant to the issue, to put that question.

Having risen now to give a ruling on this point of order—and I do not want to get up again frequently, if it could be avoided—I may also mention that Mr. Padmanabha menon has been speaking for more than 15 minutes and the resolution,—I am merely saying this to facilitate proper discussion—is

"This Assembly recommends to Government that early steps be taken to give additional facilities in the matter of shipping and freightage".

I am merely pointing this out for the attention of the mover.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I have no time to do justice to the subject as the seriousness and the importance of the question demands. I will content myself with just suggesting the remedies.

There are no mills in Bengal for crushing copra into cocoanut oil. Bengal buys largely from us. But the quality of the cocoanut oil we export has suffered immensely and for this the people are to blame. In our anxiety to sell copra, because of our dire needs, at an early stage, the copra is not properly dried. Artificial means are resorted to for the purpose of drying copra so that, though the outside looks dry, the inside is not dried and remains green.

DEPUTY PRESIDENT: I am disposed to say that you may not develop that point because it has very little to do with shipping and freightage.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): We have to retain our market. There is very much demand for white copra, mostly from Bombay and other places and very many take it as a delicacy and many again use it for medicinal purposes, especially women, during the advanced stage of pregnancy and immediately after confinement.

I want to press on the attention of the House that the Government, having regard to the vastness of the problem, must see that larger uantities are exported from Travancore as white copra. If the Mysore

Government can capture the European market by persistent propaganda and active work for their sandal soap and oils, why not, by spendinga few lakhs of rupees, the Travancore Government persistently try and capture foreign markets for our white copra? So my remedies are (1) appointment of trade agents, (2) propaganda work by Government to find out new markets, (3) careful arrangements to retain the existing market, (4) inducing Government of India to increase protective tariff to keep off foreign competition, (5) doing away partially at least with the internal duty imposed by our Government on export of cocoanut produce, and (6) giving additional facilities to Travancore merchants who are engaged in the arduous and difficult task of export. In these days of keen competition, we must be up and be doing, if we want to survive. There is, I understand, a persistent demand on the part of mill-owners to purchase more and more copra from Ceylon. Thereby indigenous industry suffers materially.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether all the copra produced in Travancore is crushed in the mills of Alleppey ?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : All the copra is crushed in the State. Our mills want more. I have figures to show that thousands of candies of copra are imported to the State. The Tata Oil Mills Company at Eranakulam are persistently clamouring that they are handicapped for want of more copra to be crushed. On an average, they crush 2,000 candies of copra in 24 hours. Most of the copra crushed there is the imported variety. If the Alleppey mill-owners go in for foreign copra, I do not know where our copra will find a market. This is a very serious question that should engage the attention of Government.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member whether it is possible to stop foreign competition ?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) : It is not entirely within the power of this State. The Government of India have to be moved to raise the tariff of copra. Our Government also can do a great deal in this direction.

DEPUTY PRESIDENT : You need not deal with that question. Your resolution relates only to shipping and freightage.

MR. S. J. NAIR (*Nedumangad*) : That is an important information one requires from Mr. Menon, *i. e.*, how foreign competition could be stopped.

DEPUTY PRESIDENT : Even in the light of Mr. S. J. Nair's explanation, I consider that the question need not be answered.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I shall now come to two or three points, in connection with the resolution. The neglect and the indifference on the part of the Travancore Government in improving the Alleppey Port has caused great inconvenience to the merchants at Alleppey. There is a lot of work left unattended in Alleppey pier. It must be made a decent up-to-date port. I do not know what is the meaning of this ostrich-like policy on the part of Government when the whole country is adversely affected.

DEPUTY PRESIDENT : Your time is up.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): So, I commend this resolution for the acceptance of the House.

MR. M. N. NAIR (*Kottayam I*) : I have great pleasure in seconding the resolution brought forward by Mr. Padmanabha Menon with an able speech to support his resolution. I have to add many things in regard to his resolution. I also think that sufficient importance has never been given to cocoanut produce in Travancore, in spite of the fact that throughout the world there is no country which has a greater proportion of land being utilised for the cocoanut cultivation. Yet Travancore cocoanut producers are being more and more heavily taxed than being helped by the departments concerned. Perhaps, because of the high price of cocoanuts in former times, they were not alive to the difficulties they were labouring under. But for the last few years, the price of cocoanut has been going down more and more, so much so that the people have lost all faith in cocoanut cultivation and as a result they have abandoned cocoanut cultivation. I do not know what will be the fate of Travancore a few years afterwards.

About the facilities that are to be given to the cocoanut producers in shipping, I think the question of export also comes in. I am afraid the President has given a ruling that that point cannot be developed, because strictly under the wording of the resolution that does not come in. But I request the indulgence of the President, to permit me to say a few words about it.

DEPUTY PRESIDENT : I may explain. The ruling covers certain matters and prohibits a detailed examination of questions not intimately connected with shipping and freightage. If you have got anything to say in relation to that, you certainly are at liberty to speak.

MR. M. N. NAIR (*Kottayam I*) : One of the difficulties that is being experienced by people who are to export cocoanut from Travancore to outside is the difficulty with regard to export duty. Now in Ceylon, which has a few lakhs of acres of land under cocoanut cultivacion, the Ceylon Government have removed export duty on cocoanut altogether. The Travancore Government have been keeping that export duty. That affects the cocoanut producers in two ways. Firstly, they are not getting the price ; and secondly, they are being delayed on the way by customs officers. The people who want to purchase Travancore copra outside the State also find it difficult, because of the difficulties at the customs houses. Therefore removing export duty is a way to help local cocoanut producers.

MR. A. EASWARA PILLAI (*Kottarakara*) : May I know whether export duty affects producers or price of cocoanut ?

MR. M. N. NAIR (*Kottayam I*) : It affects the price of cocoanut.

Again the tariff rate of copra has been artificially inflated, for the tariff rate of copra is Rs. 96 or so. Really cocoanut producers get only Rs. 45 for one candy of copra at present. But they are paying export duty for double the amount of the price.

Then with regard to freight. From Ceylon to Bombay, the distance is much greater than from Alleppey to Bombay. But freight is almost the same from Ceylon to Bombay and from Alleppey to Bombay. This the Ceylon copra producers got through the recommendation of the Government and the interference of the Chamber of Commerce. But that is not the case with regard to the Travancore copra owners. They are helpless in the matter. Recently an expert of the British Government has been touring throughout Travancore to see to the facilities and difficulties of cocoanut producers in Travancore. When the people interviewed that gentleman and requested his help for keeping up the import duty in British India, the difficulty brought forward by that gentleman was—

DEPUTY PRESIDENT. Do you make yourself responsible for that statement?

MR. M. N. NAIR (*Kottayam I*) : Yes. He said, 'When your Government themselves are not prepared to remove the export duty, do you think the British Indian people are to pay more price for your copra and help the Travancore producers? You cannot expect that". And he compared the action of the Ceylon Government also in the matter. Therefore we think it is only right to request our Government to remove export duty on copra altogether, at least till the price of copra becomes higher than what it is now.

DEPUTY PRESIDENT : Your time is up.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : Sir, speaking on this resolution, as one representing the commercial constituency, I submit there is some difficulty in understanding what exactly are the facilities to be given in these instances. So far as freightage is concerned, as regards railway freight, the question came up recently on a deputation from the Government of Ceylon which waited upon the Government of India; and the Railway Board stated specifically that there cannot be any more reduction in the railway freight. The last reduction has been made. Any further reduction in freight would mean a considerable deficit in the Railway Budget. Therefore, so far as railway freightage is concerned, any facilities in the matter seem to be remote.

As regards shipping, we are no doubt a maritime country, but shipping is in the hands of other agencies, and so far as British shipping is concerned, that industry itself is in a bad way. The control of shipping is not in the hands of our Government and so no facilities could be expected there. But unless some facilities are obtained by our merchants, not merely for cocoanut produce, but for other produce as well, both in the matter of shipping as well as freight, things would become very worse. Therefore it is the duty of Government to devise measures by which these facilities will have to be obtained. Therefore I heartily support the resolution moved by Mr. Menon.

MR. C. O. MADHAVAN (*Excise Commissioner*): Sir, the resolution proposed by Mr. Padmanabha Menon is to recommend to Government that early steps be taken to give additional facilities in the matter of shipping and freightage to Travancore merchants dealing in cocoanut produce, to enable them to compete successfully with foreign competitors Mr. Menon began by a graphic description of the difficulties facing the cultivators of cocoanut tree at present in Travancore. I fully agree with him on that point, though most of what he said had no direct bearing upon his resolution.

It has been said that the cause of the fall in prices is not over-production. But I may inform the House that the fall in price is due to over-production, though not over-production in Travancore but over-production of cocoanut products in the whole world. Travancore cannot have any market for herself and the whole world is open to the world products of the cocoanut tree. When we come to the question of over-production, we must see whether there is over-production of this commodity in the whole world. As far as I am able to say, the present fall is due mainly to over-production. There has been considerable development in the cultivation of the cocoanut tree in Ceylon, Malaya States, Philippines and other countries.

The fundamental cause of the fall in prices is mainly, if not wholly, due to over-production.

MR. M. N. NAIR (*Kottayam I*): May I know from the member how the Ceylon copra owners are able to compete successfully with Travancore copra owners?

MR. C. O. MADHAVAN (*Excise Commissioner*): I may say that the resolution has nothing to do with the competition of the Ceylon copra owner or the Travancore copra owner.

DEPUTY PRESIDENT: It is open for the member to ask that question.

MR. M. N. NAIR (*Kottayam I*): What I want to know is how the Ceylon copra owners are able to compete with the Travancore copra owners in point of price.

DEPUTY PRESIDENT: You mean compete *favourably*?

MR. M. N. NAIR (*Kottayam I*): Yes, the Ceylon copra owners are able to sell their copra cheaper. What is the reason for that?

MR. C. O. MADHAVAN (*Excise Commissioner*): There is no question of the producers of the copra of one country competing with the producers of the copra of another country. We are all throwing our products into the world market. We may say that the Travancore copra owners are competing with the copra owners of Ceylon or that the Ceylon copra owners are competing with the Travancore copra owners.

DEPUTY PRESIDENT: What Mr. M. N. Nair wants is to know how the Ceylon copra owners are able to compete more favourably with the Travancore copra owners in India?

MR. C. O. MADHAVAN (*Excise Commissioner*): There is no question of favourable competiton at all.

MR. M. N. NAIR (*Kottayam I*): May I know how the Ceylon producer is able to compete successfully in the Indian market even after the payment of 20 per cent. as import duty?

MR. C. O. MADHAVAN (*Excise Commissioner*): As I see it, there is no question of successful competition or anything of that sort. The Ceylon producer places his copra in the Indian market. The Travancore producer also markets his produce in India. The Ceylon producer gets for his copra what the Travancore producer gets, *Minus* the import duty and transport charges. That is all what happens.

DEPUTY PRESIDENT: So that the Ceylon merchant gets less for his cocoanut?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Less than what?

MR. C. O. MADHAVAN (*Excise Commissioner*): Less than what the Travancore producer gets.

MR. A. S. DAMODARAN ASAN (*Mavelikara*). Has the price of Ceylon copra gone down?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes.

MR. K. C. KARUNAKARAN (*Nominated*): Does the member know that there is under-production during the period 1931 to 1932 in various other countries?

DEPUTY PRESIDENT; Now Mr. Madhavan is dealing with other points. I shall allow you to put that question when he comes to the question of production. Now you may put any questions on the matter which he is dealing with.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Does the member know that there has been no under-production?

MR. C. O. MADAHAVAN (*Excise Commissioner*): There has been no under-production. We have also developed the area under cocoanut cultivation. But the yield may not be the same every year. It may vary according to seasonal conditions.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether it is a fact that Ceylon has lost many of her big foreign markets?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, Ceylon is not able to send her cocoanut products to European countries as she used to do. Cocoanut oil is being replaced by other oils.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether Ceylon is selling her products at a loss in the Indian market?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, she is selling in the Indian markets for what she can get.

MR. M. N. NAIR (*Kottayam I*): What is the tariff value imposed by the Government on cocoanut?

MR. C. O. MADHAVAN (*Excise Commissioner*): The member himself has said that it is Rs. 48 for 1,000 cocoanuts.

MR. M. N. NAIR (*Kottayam I*): I want to know whether the official member agrees with me. May I know the market price of cocoanut oil per candy?

MR. C. O. MADHAVAN (*Excise Commissioner*) : It is much less, about half.

MR. M. N. NAIR (*Kottayam I*): May I know the reason for keeping this artificial inflation in the tariff value?

MR. C. O. MADHAVAN (*Excise Commissioner*) : The tariff remains what it was two years ago. We have not reduced the tariff value.

MR. M. N. NAIR (*Kottayam I*) May I know why this inflation of tariff is maintained?

MR. C. O. MADHAVAN (*Excise Commissioner*) : There is no question of inflation. It is only a little higher.

DEPUTY PRESIDENT : I may be permitted to say that we are using technical terms like inflation and dumping. If it is the meaning of ordinary English words, I think everybody can understand it. But when technical expressions are used some working idea may be given and thus these difficulties may be prevented.

MR. C. O. MADHAVAN (*Excise Commissioner*) : Sir, the tariff value has not been unduly raised.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether the tariff value has been proportionately reduced to the fall in the price of cocoanut?

MR. C. O. MADHAVAN (*Excise Commissioner*): The tariff value cannot be revised as frequently as the fluctuations in the market prices.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): My question is whether the reduction in the tariff value is in proportion to the fall in the price of cocoanut. Has it approximated to the existing value.

MR. C. O. MADHAVAN (*Excise Commissioner*) : It is not so. The Government noticed a fall in the price of cocoanut in the year 1106 and they reduced the tariff value accordingly.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*); May I know whether that reduction is proportionate to the reduction in the value of copra?

MR. C. O. MADHAVAN (*Excise Commissioner*) : So far as copra is concerned, there is some difference. The tariff value of copra is always kept a little higher than its market value for affording protection to the mill-owners. It has always been the policy of the Government to keep the tariff value of copra a little higher than that of oil.

MR. T. P. RAMASUBBA AIYAR (*Nominated*) : May I know whether the time has come for Government to consider the question of reducing the tariff value on copra, in view of the fact that the tariff value on copra has come near double its price?

MR. C. O. MADHAVAN (*Excise Commissioner*) : Government have been watching the course of the fall in the price of cocoanut; and if the same rate continues to prevail, they will surely consider the question of revising the tariff value.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Is there not already a great and disproportionate difference between the duty on copra and that on oil?

DEPUTY PRESIDENT: I do not allow that question.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Is there not a disproportionate difference between the tariff imposed on copra and cocoanut oil?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, there is.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know why this difference is kept up?

MR. C. O. MADHAVAN (*Excise Commissioner*): Simply to help the mill-owners.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know why this mill industry should be shown such a consideration? Is it such an infant industry that it should be artificially helped by Government?

MR. C. O. MADHAVAN (*Excise Commissioner*): It is not a question of infant industry. It is not in that light that the Travancore mill-owners are given some concessions. They are subject to certain disadvantages when compared with those of Cochin. They will not be able to carry on their business successfully, if the same duty is imposed on copra and oil.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Will that not adversely affect the cocoanut cultivation?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, to some extent. Perhaps it will be the Government that will be losing more than the producers.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*) May I know who form the greater number, the agriculturists or the mill owners?

MR. C. O. MADHAVAN (*Excise Commissioner*): The member himself knows it.

DEPUTY PRESIDENT: What the member wants to know is whether it is a fiscal duty or a protective duty?

MR. C. O. MADHAVAN (*Excise Commissioner*): It is meant to serve both the purposes. It is primarily a fiscal duty. So far as the distinction between cocoanut and cocoanut oil is concerned, it may be said that it is meant for protective purposes.

But Mr. Menon's resolution as it stands is unnecessary, though not wholly irrelevant.

DEPUTY PRESIDENT: You should not use the word "irrelevant," You should withdraw that word.

MR. C. O. MADHAVAN (*Excise Commissioner*): Then I do not say that. What the resolution urges is that Government should give additional facilities in the matter of shipping to the merchants. So far as that is concerned, I may say that Travancore Government is quite helpless. Some years back, the Government had to address the Steamship Companies on behalf of Travancore merchants engaged in the import of rice or paddy from Burma. The steamer freight on paddy from Burma

[Mr. C. O. Madhavan.]

to Alleppey is higher than that to Cochin, though the distance to Alleppey is shorter. Government, on behalf of the Travancore importers, wrote to the Shipping Company for the reduction of the freight. But the Company wrote in reply that they could not reduce it to the level of Cochin, because there they had got better landing and shipping facilities. I quote this only as an instance to show the limit of our power in the matter of the reduction of freight. As matters stand at present, it is not possible for the Government to do anything in a matter of this kind. Of course, when we have a Shipping Company of our own, it may then be possible. So far as other facilities are concerned, Mr. Menon referred to the difficulties of merchants due to the silting up of the shipping harbour. That question was fully discussed in connection with interpellation No. 83 asked this morning in this House. The Secretary to Government, in answering the interpellation, has explained what the Government have done, what they are doing and what they propose to do to tackle that difficulty.

DEPUTY PRESIDENT: It is nearly 1. 15, the usual time to rise for lunch. I want to annouce that the Dewan will be presiding over the House this afternoon.

In this connection, you will permit me to express my deep sense of thankfulness for the manner in which you have helped to conduct the deliberations of the House and the consideration you have shown while I was presiding.

The House will now adjourn to meet again at 2 P. M.

The House rose for lunch at 1. 15 P. M.

The Assembly met again after lunch at 2. 2 P. M., the President presiding.

MR. C. O. MADHAVAN (*Excise Commissioner*): Sir, I had almost finished my reply on the first resolution in the agenda. The mover wanted the Government to afford better facilities, to the merchants of Travancore, in the matter of shipping and freightage. So far as freightage is concerned, it rests entirely with the Shipping Companies; and Government now find that they cannot effectively interfere and get concessional rates for our merchants.

In regard to shipping, absolutely no hardship is being felt by our merchants in shipping our products for the ports of Bombay, Karachi and Calcutta. The freight from Alleppey to those ports is the same as from Cochin. Travancore merchants have no cause for complaint at all in that direction. If the merchants desire anything more, I may inform the House that it is not within the power of Government to give any more help in the direction now asked for.

So far as better shipping and landing facilities at Alleppey are concerned, Government are doing everything possible. The silt is being dredged away. The Government are getting down an expert for consultation and advice. What the Government are doing in this matter has been explained in answer to an interpellation this morning. I may assure the House that everything possible will be done. Government

are fully alive to their responsibility in that direction. I hope Mr. Padmanabha Menon will be satisfied with the assurance I have given on behalf of Government and will not press his resolution.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, I wish to offer a few remarks on the resolution before the House.

The resolution only prays for *additional* facilities in the matter of shipping and freightage. Sir, facilities for shipping and freightage are very intimately connected with the development of trade and commerce of a country. So far as Travancore is concerned, it claims to be one of the most important of the maritime States of India. We have at least four ports which are used year in and year out. Alleppey has various advantages on account of its position. The main advantage there is that no large investment is needed for the development of the port. Secondly, it serves a very rich hinterland. Of late, there has been a phenomenal increase in shippsng there ; but, on account of the more ambitious Cochin Harbour Scheme, Government have not been paying much attention even to the efficient maintenance of the Travancore ports as they ought to.

There is one specific point which I wish to refer to in this connection. The Excise Commissioner in his reply said that Government cannot do much by way of interfering in the matter of reducing freightage for the Travancore merchants, as it was not entirely in our control. I crave the indulgence of the House when 1 quote from an article on shipping, especially of cocoanut products, written by the late Dewan Mr. M. E. Watts, where he says that much can be done for the improvement of shipping facilities for our merchants. I think it is entitled to great weight at the hands of the Government and of this House. He says—

"The Travancore Ports cannot aspire to rank in the first class or as ports of final destination, but they can, without difficulty, be developed into useful ports of call and be made even more profitable than they are at present.

The fact remains that these ports can be made more profitable, and more facilities for shipping can be afforded. That is a point that cannot be denied. I think, in admitting that fact, Government ought to do all they can for the products passing through the Alleppey Port. It has been stated that the Government were already considering the question of solving the difficulties created by sand-banks in Alleppey and that they were inviting experts to advise them on the improvement of the pier. Sir, trade is a very delicate business ; and Government should not allow such questions to be tarried much. Any moment, very easily, ocean-going steamers might turn their courses away from Alleppy, especially in view of the fact that they have close at hand a first class harbour in Cochin. Delay is therefore very dangerous in this matter. Government must, therefore, expedite the improvement of the Alleppey Port. The expedition with which we improve our port is therefore a matter of high concern to us, because trade, if once diverted cannot possibly be attracted again easily.

[Mr. K. Kunjukrishna Pillai.]

There is also another matter which I wish to refer to. Though, strictly speaking, it does not come under the resolution, both the mover and the official member referred to it. The export of copra and the copra industry suffer a great deal on account of the fact that there is no expert advice on the matter and sufficient and prompt and enlightened attention is not being bestowed on the fixing of tariff values on copra. Even now when as a matter of fact the market price of copra has gone down considerably, the tariff value has not been proportionately reduced. There is absolutely no relation between the actual market value of copra and the value adopted by the Government for fixing the tariff value. This state of affairs has to be remedied. Unless that is done, our purchasers will be at a very great disadvantage. And no one can now say what would be the position of Travancore if the cocoanut industry ceases to be a profitable industry. This is a very serious matter in which Government have to act very promptly with all the energy that they can command.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, I regret to state that the usual amount of sympathy I expected from the official quarters is not forthcoming. It is true that much cannot be done by the Travancore Darbar in the matter of shipping. But, I still maintain that our Government can correspond with Shipping Companies and attract to our port big ocean-going steamers, if we provide better facilities for them in our port and also establish up-to-date warehouses and go-downs in our ports. Alleppey must have a better pier. The present one is fast becoming useless; and if we do not improve it and maintain it properly, with the development of the Cochin Harbour, our only port, Alleppey, is sure to lose its importance. In answer to an interpellation, it was stated that Government think of appointing an expert to investigate the Alleppey pier problem. Sir, the matter is very important and urgent and Government ought not to take months and years over this matter. In this connection, I want to draw the attention of Government to the immediate necessity of granting at least partial remission, on equitable grounds, I mean in the export duty on cocoanut products imposed by our Government. In view of the assurance given by the Excise Commissioner that everything possible in the circumstances will be done immediately and in the light of the fact that the Government realises the importance of the resolution, I do not wish to press the resolution to a division.

The resolution was, by leave, withdrawn.

PRESIDENT: Mr. Padmanabha Menon, you may move the second resolution standing in your name.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, I wish o move the following resolution—

"*This Assembly recommends to Government that the G. O. giving preference to Vernacular School teachers who have acted during the period 1100 to 1103 in the matter of appointments be cancelled.*"

Sir, this is a Government Order which has been the causse ofmuch heart-burning in this country. I, for one, fail to understandd n what principles of equity, fair play or justice, this Government order is based. In answer to interpellations, the Director of Public Instruction, during the last session of the Assembly, stated that more than 1,200 persons are included in this waiting list of teachers who have acted between 1100 and 1103, that for the last six years all available vacancies have been reserved for them—earmarked for them—and in spite of that, during the last six years only 600 teachers have been provided for. Another 600 still remain in this charmed list. At the same time, there are more than 200 teachers who have acted prior to 1100, persons whose claims ought to be recognised, who are entitled to greater claim and more preferential treatment. And pray what is the particular sanctity for this period? I fail to understand what sanctity is attached to this period of 1100 to 1103. This House will be failing in its duty if we are going to perpetuate this injustice. I have no hesitation in characterising it as a G. O. disfiguring the portfolio of the Director of Public Instruction and I must implore the assistance of this side of the House to do away with this unjust order. There should be some intelligent principles that ought to be kept consistently in view regarding appointments in public service.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): Is it the member's wish that those who acted before 1100 must also be included in the waiting list?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I thank the member for reminding me of it. There are two courses open to the Director of Public Instruction. He must either do away with this waiting list altogether and make future appointments on the two well-recognised conditions of public service, namely qualifications and efficiency or enlarge this charmed list, so that it might bring within its fold all those who have acted prior to 1100 and subsequent to 1103, all those who rightly look upon this House and the Government authorities in charge of the department to recognise their claim.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What about those who have acted after 1103 and before 1104? Does the member know that there is a class of persons who have acted during this period and are now without employment?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Yes. That necessarily implies one of the two courses I have suggested. Yes, take away this artificial barrier kept up between 1100 and 1103, so that all acting men can be placed on an equal footing. Bring together all persons who have acted in a list and give them preference; apply the same ordinary rules that are obtained in other departments regarding appointment of acting men. Or do away with all acting men. Let us say good-bye to all acting persons. Personally I have no grievance if that is done. Let the sole test of future appointments in the Education Department be the test of efficiency and higher qualifications. There should be some intelligent principle, some principle that is consistent with fair play and justice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What is the principle underlying the suggestion that acting claims should be ignored?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I am suggesting two courses and it is perfectly open to this House to accept either of the two. The only thing I insist on, as per this resolution, is that this kind of G. O. giving undue preference to the persons who have acted during the period 1100 to 1103, disregarding prior and subsequent claims, is not based on an intelligent principle, that it is not equitable, that it is doing great injustice to some other persons whose claim ought to weigh more with the department under normal and ordinary circumstances and that this kind of G. O. at any rate cannot be allowed to remain in force any longer.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*); Will it not be likely that by the time we search after these people some of them might have forgotten even the alphabet?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I refuse to take this as a settled fact, Sir. An injustice, even though it is perpetrated half a dozen years ago or a decade ago, is still an injustice and it ought to be removed at the earliest possible opportunity by this House. If any member of this House can satisfy me that, by revoking this G. O., we will be doing great injustice, I am prepared to withdraw this resolution, but not otherwise.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): If you bring these teachers who have been out of touch with teaching work for very many years, will you not be perpetrating an injustice to the pupils?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): The question does not seem to arise because of this—

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is it in the interest of the pupils?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I am coming to that. We have waited for half a dozen years to exhaust half the number in this list and we will have to wait perhaps another half a dozen years or perhaps a decade, to get the remaining six hundred absorbed. What about the six hundred who have been appointed during these years? Were they all these years in intimate touch with teaching? So, the question moves in a vicious circle, Sir. The only question we have to consider is whether this G. O., is based on an intelligent principle, whether by perpetuating this G. O. we are having fair play, whether it is not time enough to say good-bye to this vexed G. O. that has created so much strong feeling in this country and whether, after all, this favoured, charmed list should be perpetuated for another six or ten years to come. I seriously and sincerely ask—will it be to the fair name of the department to perpetuate it? Is it not a standing sore and heart-burn to many? If this is applauded and allowed to remain, what guarantee is there that a time might not come

in the future when some other charmed list be brought into existence? This order has already done much mischief and it promises to do more in future. I do not think any elaborate speech is necessary for recommending this resolution to the acceptance of the House.

MR. M. N. NAIR (*Kottayam I*): I second it.

MR. T. T. KESAVAN SASTRI (*Nominated*): ൧൧൦൦-മുതൽ ൧൧൦൯-വരെ പകരംനോക്കിയിട്ടുള്ള അധ്യാപകന്മാരെ നിയമിച്ചതിനുശേഷംമാത്രമേ പുതിയ അധ്യാപകന്മാരെ നിയമിക്കാൻ പാടുള്ളു എന്നുള്ള ഗവണ്മെൻറ് ആർഡർനിമിത്തം മലയാളഭാഷാപരീക്ഷാബിരുദധാരികളിൽ പലരും അത്യധികമായ സങ്കടം അനുഭവിക്കുന്നുണ്ട്. അധഃകൃതരെ സംബന്ധിച്ച് പറയുകയാണെങ്കിൽ ഒരു കുറഞ്ഞകാലത്തിനിപ്പുറമാണ് അവൎക്കു സ്കൂൾപ്രവേശനവും സാമാന്യവിദ്യാഭ്യാസസൌകൎയ്യങ്ങളും ഉണ്ടായി പരീക്ഷാവിജയികളായിത്തീരാൻ സംഗതിയായിട്ടുള്ളത്. പ്രസ്തുത ആർഡർനിമിത്തം ഒരു നിശ്ചിതകാലത്തിനിടക്ക് പരീക്ഷാവിജയികളായി പ്രവേശനം സിദ്ധിക്കാത്തുള്ളവൎക്ക് ഉദ്യോഗം ലഭിക്കുകയില്ല എന്നു വരുന്നത് വളരെ സങ്കടകരവും ന്യായരഹിതവുമാണ്. ൧൧൦൯-നുശേഷവും അതിനു മുമ്പായും അധഃകൃതവൎഗ്ഗത്തിൽ പെട്ട അനേകം ആളുകൾ മലയാളം ഏഴാംക്ലാസ് പരീക്ഷാവിജയികളായും മുഖ്യപരീക്ഷാവിജയികളായും അനേകംഉദ്യോഗാൎത്ഥികൾ ഉണ്ട്. ഇവരിൽ ഉൾപ്പെട്ട പലരും ഉദ്യോഗത്തിനുവേണ്ടി അപേക്ഷ ബോധിപ്പിക്കുമ്പോൾ പ്രസ്തുത ഗവണ്മെൻറുത്തരവിനെ ലാക്കാക്കി അധികൃതസ്ഥാനങ്ങളിൽനിന്നും അനുകൂലമല്ലാത്ത മറുവടിയാണ് ഉണ്ടാകാറുള്ളത്. അവരുടെ കുററമല്ല. ഈ ഉത്തരവിൻെറ ഫലം മാത്രമാണ്. തൻനിമിത്തം ഉദ്യോഗവിഷയത്തിൽ പിന്നോക്കംനില്ക്കുന്ന അവശസമുദായത്തിൽപെട്ട അനേകം പരീക്ഷാബിരുദധാരികൾക്ക് യഥാകാലം അവർ ആഗ്രഹിക്കുന്ന വിധത്തിൽ സർവ്വീസിൽ പ്രവേശനവും പ്രോത്സാഹനവും ലഭ്യമാകാതെ വളരെ സങ്കടപ്പെടുന്നുണ്ട്. അതിനാൽ പ്രസ്തുത ഗവണ്മെൻറ് ആർഡറിനെ പിൻവലിക്കേണ്ടതാണ്. അങ്ങനെയെങ്കിൽ മററുള്ളവർക്കും അവശസമുദായങ്ങൾക്കും യഥാക്രമം കൂടുതൽ സൌകൎയ്യവും സഹായവുമായി തീരുന്നതാണ്. അതിനാൽ ഈ പ്രമേയത്തെ ഞാൻ അനുകൂലിച്ചുകൊള്ളുന്നു.

MR. E. V. KRISHNA PILLAI (*Pattanamtittu*): ഇപ്പോൾ പാസ്സായിട്ടുള്ള അവശസമുദായത്തിൽപെട്ട ആളുകളെ നിയമിക്കാതെ ൧൧൦൦-ന് മേൽ പകരംനോക്കിയിട്ടുള്ള അവശസമുദായത്തിൽപെട്ട ആളുകളെ നിയമിച്ചാൽ മതിയെന്നാണോ മെമ്പറിൻെറ അഭിപ്രായം?

MR. T. T. KESAVAN SASTRI (*Nominated*) : ഇപ്പോൾ പരീക്ഷപാസ്സായിട്ടുള്ളവർ ഇല്ലെങ്കിൽ അവരെ നിയമിക്കാവുന്നതാണ്

MR. N. JOHN JOSEPH (*Nominted*) : ഞാനും പ്രമേയത്തെ അനുകൂലിച്ചുകൊള്ളുന്നു. ൧൯൦൦-മുതൽ ൧൯൦൩-വരെ പകരംനോക്കീട്ടുള്ളവരെ നിയമിച്ചതിനുമേൽ മാത്രമേ മററുള്ള അധ്യാപകന്മാരെ നിയമിക്കാൻ പാടുള്ളു എന്നാണ് ഗവണ്മെൻറു ആർഡർ ഉണ്ടായിട്ടുള്ളതു്. ൧൯൦൦-നുമുമ്പു് പകരംനോക്കിയിട്ടുള്ള ഒട്ടുവളരെ ആളുകൾ ഉണ്ടായിരിക്കുമ്പോഴാണ് ഇങ്ങനെ ഒരു ആഡർ പുറപ്പെടുവിച്ചിട്ടുള്ളതു്. ൧൯൦൩-മുതൽ ൧൯൦൪-വരെ പകരംനോക്കിയിട്ടുള്ള അധ്യാപകന്മാരുമുണ്ടു്. അവരെല്ലാം വളരെ കഷ്ടപ്പെടുന്നുണ്ടു്. പകരംനോക്കിയിട്ടുള്ളവരുടെ ലിസ്റ്റിൽ ൧,൨൦൦ പേർ ഉണ്ടെങ്കിലും അതിൽ നാലോ അഞ്ചോ അധഃകൃതർമാത്രമേയുള്ളു എന്നസംഗതി ഗവണ്മെൻറു പ്രത്യേകം ധരിക്കേണ്ടതാണ്. അധഃകൃതർക്കു പകരംജോലിപോലും ഒരു ഡിപ്പാർട്ടുമെൻറിലും കിട്ടുകയില്ലെന്നുള്ളസംഗതിയും ഗവണ്മെൻറുധരിക്കേണ്ടതാണ്. ഞാൻ ഡിപ്പാർട്ടുമെൻറു മേലധികാരികളെ കുററംപറയുകയല്ല ചെയ്യുന്നതു്. സ്വവർഗ്ഗത്തിൽപെട്ടവർക്കുമാത്രമേ ഉദ്യോഗത്തിലിരിക്കുന്നവർ തങ്ങളുടെ സ്ഥാനം ഒഴിഞ്ഞുകൊടുക്കുകയുള്ളു എന്നുവന്നാൽ ഒരു അധഃകൃതന് ഒരു ഡിപ്പാർട്ടുമെൻറിലും പകരംനോക്കാൻകൂടി ഭാഗ്യം ഉണ്ടാകയില്ല എന്നുള്ളസംഗതിയും ഗവണ്മെൻറു് ധരിക്കേണ്ടതാണ്. പകരംനോക്കിയിട്ടുള്ള ഒൻപതുപേരെ നിയമിക്കുമ്പോൾ വെളിയിൽനിന്നും ഒരു അധഃകൃതനെക്കൂടി നിയമിക്കണമെന്നു് മുമ്പു ഒരു പ്രത്യേകം ആർഡർ ഉണ്ടായിരുന്നു. അതനുസരിച്ചു് ഏതാനുംപേരെ ഡിപ്പാർട്ടുമെൻറിൽനിന്നും നിയമിക്കുകയും അടുത്തകാലത്തു അവരെ പിരിച്ചുവിടുകയും ചെയ്തിട്ടുണ്ടു്. ആ ഉത്തരവിനെ റദ്ദുചെയ്തു് പിരിച്ചുവിട്ടവരെ വീണ്ടും നിയമിച്ചു. അങ്ങിനെ ൪൭ പേരെ നിയമിച്ചതിൽ യഥാർത്ഥ അധഃകൃതരായി ൧൨ പേർ മാത്രമേയുള്ളു. കേവലം അധഃകൃതരായിരിക്കുന്നവരെമാത്രം നിയമിക്കണമെന്നാണ് ആദ്യത്തെ ഉത്തരവു്. ഗവണ്മെൻറിനു ചാഞ്ഞും ചരിഞ്ഞും മറുപടി പറയത്തക്കവിധത്തിൽ പിന്നോക്കം നില്ക്കുന്ന സമുദായക്കാരെക്കൂടി ഉൾപ്പെടുത്തി നിയമനം നടത്തിയിട്ടു് ഇങ്ങിനെ ഒരു ഉപാധികണ്ടുപിടിക്കുകയാണ് ചെയ്തിട്ടുള്ളതു്. പകരംനോക്കിയിട്ടുള്ള എല്ലാവർക്കും അവകാശം ലഭിക്കുന്നതിന് മുൻപറഞ്ഞ ആർഡറിനെ പിൻവലിക്കുകയും അധഃകൃതരെ സംബന്ധിച്ചിടത്തോളം ഇരുപതു ശതമാനം ആളുകളെവീതം നിയമിക്കണമെന്നു് ഒരു

പ്രത്യേകം ആർഡർ പാസ്സാക്കണമെന്നുമാണ് എന്റെ അഭ്യർത്ഥന. പകരംനോക്കിയിട്ടുള്ളവരുടെക്കൂട്ടത്തിൽ അധികം അധഃകൃതർ ഇല്ലെന്നുള്ളതുകൊണ്ടാണ് പ്രത്യേകം ആർഡർ വേണമെന്നു പറയുന്നതു്. കഷ്ടത അനുഭവിക്കുന്നവരും ഗവണ്മെൻറുസർവ്വീസിൽ പ്രവേശിക്കുവാൻ കഴിവില്ലാതെ അലഞ്ഞുനടക്കുന്നവരും ഉദ്യോഗവിഷയത്തിൽ ഒട്ടും പ്രാതിനിധ്യം ഇല്ലാത്തവരും പകരംനോക്കിയിട്ടുള്ളവർ ഒട്ടുമില്ലാത്തവരുമായ അധഃകൃതരിൽനിന്നു നൂററിനു ൨൦ ശതമാനംവീതം നിയമനം നടത്തണമെന്നു ഞാൻ അപേക്ഷിക്കുന്നു. മററുള്ളവരിൽനിന്നു പത്തുപേരെ നിയമിക്കുമ്പോൾ അധഃകൃതരിൽനിന്നു അതായതു പുറമെനിന്നുതന്നെ രണ്ടുപേരെ നിയമിക്കണമെന്നാണ് താല്പര്യം.

MR. A. THANU PILLAI (*Trivandrum-Rural*) യഥാർത്ഥഅധഃകൃതർ എന്നും അയഥാർത്ഥഅധഃകൃതർ എന്നും അധഃകൃതർ രണ്ടുവിധത്തിൽ ഉണ്ടോ?

MR. N. JOHN JOSEPH (*Nominated*) : യഥാർത്ഥ അധഃകൃതരുടെ ഒരു പട്ടിക ഗവണ്മെൻറിൽനിന്നും എടുത്തിട്ടുണ്ടു്. അവരാണ് യഥാർത്ഥഅധഃകൃതർ. ഉദ്യോഗവിഷയത്തിലും വിദ്യാഭ്യാസവിഷത്തിലും പിന്നോക്കം നില്ക്കുന്നവരാണ് അയഥാർത്ഥ അധഃകൃതർ, ഈഴവർ, നാടാർ മുതലായവർ പിന്നോക്കംനിൽക്കുന്ന അയഥാർത്ഥ അധഃകൃതരും, പുലയർ, പറയർ, ചേരമർ മുതലായവർ യഥാർത്ഥ അധഃകൃതരുമാണ്. പിന്നോക്കംനില്ക്കുന്ന അയഥാർത്ഥ അധഃകൃതരെ യഥാർത്ഥഅധഃകൃതരുടെ കൂട്ടത്തിൽചേർത്തു അധഃകൃതരിൽനിന്നും ഇത്രയാളുകളെ നിയമിച്ചു എന്നാണ് ഗവണ്മെൻറുഭാഗത്തുനിന്നും മറുപടി പറയാറുള്ളതു്. കേവലം അധഃകൃതരായിട്ടുള്ളവരെ പ്രത്യേകം നിയമിക്കണമെന്നാണ് എന്റെ അപേക്ഷയുടെ സാരം.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : പുലയർ, പറയർ മുതലായവർ ക്രിസ്ത്യാനികളായാലും അവരെ അധഃകൃതരായിതന്നെ ഗണിക്കുന്നുണ്ടോ?

MR. N. JOHN JOSEPH (*Nominate* : അതെ. മതം മാറിയതുകൊണ്ടു കുലം മാറുന്നില്ല എന്നുള്ളതു് എത്രയോ കാലമായി നടന്നുവരികയാണ്. കുറേക്കാലംമുമ്പു എല്ലാം ഒന്നായിപ്പോയി എന്നു ഗവണ്മെൻറും മററു പൌരന്മാരും തെററിധരിച്ചിരുന്ന ആ കാലം കഴിഞ്ഞിരിക്കുന്നു. അധഃകൃതരുടെ ജാതിസംബന്ധമായ അസമത്വം മതം മാറിയതുകൊണ്ടു തീർന്നിട്ടില്ല. ഹിന്ദുക്കളുടെ ഇടയിലുള്ളതിനു തുല്യമായ ജാതിവ്യത്യാസം

[MR. N. John Joseph.]

ക്രിസ്ത്യാനികളുടെ ഇടയിലുമുണ്ട്. പ്രാതിനിധ്യത്തിലും ഉദ്യോഗവിഷയത്തിലും ക്രിസ്തുമതത്തിലും അവരെ പിന്നോക്കം നിറുത്തിയിരിക്കയാണ്. അതിനാൽ അധഃകൃതരെസംബന്ധിച്ചിടത്തോളം ഹിന്ദു എന്നും ക്രിസ്ത്യൻ എന്നും ഉള്ള വ്യത്യാസംനോക്കാതെ അവർ അർഹിക്കുന്ന പ്രാതിനിധ്യം എല്ലാഡിപ്പാർട്ടുമെൻറുകളിലും കൊടുക്കണമെന്നാണ് എൻെറ അപേക്ഷ. വിശേഷിച്ചു വിദ്യാഭ്യാസത്തിൻെറ മലയാളംശാഖയിൽ നൂററിനു ൨൦ ശതമാനംവീതം അവർക്കുകൊടുക്കേണ്ടതാണ്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): ഒരു അധഃകൃതക്രിസ്ത്യാനിക്ക് ഒരു അധഃകൃതഹിന്ദുവിനേക്കാൾ കൂടുതൽ സൗകര്യം വിദ്യാഭ്യാസത്തിലുംമററും കിട്ടുന്നില്ലേ?

MR. N. JOHN JOSEPH (*Nominated*): മാനേജ്മെൻറുസ്കൂളുകളിൽ പഠിക്കുന്നതുകൊണ്ടു ഏതാനും സൌകര്യം ലഭിച്ചിട്ടുണ്ട്. ഉദ്യോഗസംബന്ധമായി യാതൊരു സൌകര്യവും കിട്ടിയിട്ടില്ല. മതപ്രാസംഗികന്മാർ എന്നുള്ള നിലയിൽപോലും യാതൊരു പ്രോൽസാഹനവും അവിടെനിന്നുകിട്ടിയിട്ടില്ല.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): വിദ്യാഭ്യാസത്തെസംബന്ധിച്ചിടത്തോളം ഒരു അധഃകൃതഹിന്ദുവിനേക്കാൾ കൂടുതൽ സൌജന്യം ഒരു അധഃകൃതക്രിസ്ത്യാനു നല്കുകയില്ലേ?

MR. N. JOHN JOSEPH (*Nominated*): മതംമാറിയാലും ഇല്ലെങ്കിലും അധഃകൃതസമുദായങ്ങൾക്കു കൂടുതൽ കൊടുക്കണമെന്നാണ് എൻെറ അഭിപ്രായം.

MR R. M. STATHAM (*Director of Public Instruction*): Sir, I do not think it is necessary for me to go in detail into the history of the question or to discuss here as to what led the Government to pass the order referred to in this resolution. I would just like to bring to the notice of the mover that Government are aware that there is in certain quarters considerable dissatisfaction as to the way in which the Government order operates. Government are also aware that the present conditions of recruitment to the Vernacular Schools are not entirely satisfactory. I may mention here that the attention of Government has been drawn to this order and they have under immediate consideration the question as to whether it should be withdrawn or modified. I may also assure the members that specific recommendations have been made in the Report of the Education Reforms Committee that this order should be withdrawn, so that it would in any case come under the consideration of Government when they consider that Report. On the above assurance, Sir, I do not think that the mover of the resolution would like to press the same.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Hearing the assurance of the member, I do not wish to press the resolution.

PRESIDENT: Is it the pleasure of the House that the resolution be withdrawn?

The House agreed. The Resolution was withdrawn.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir, I move the following resolution :—

> *"This Assembly recommends to Government that a one year moratorium be granted to all agricultural and industrial loans and all loans issued from the Land Mortgage Bank."*

In placing this resolution before the House, I do not think it necessary to introduce it with a long speech. A long speech on this subject would necessarily be a detailed description of the economic stringency of this country at this time. That being a well-known fact, I think I can confidently place this resolution for the acceptance of the House without a long introduction. The members of this House who have been going through the Government Gazette might have noticed that pages and pages of the Gazette have been set apart for the notifications in connection with the sale of immovable properties for the arrears of land tax.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): One year from which date?

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): From the date on which it is sanctioned.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Before the order is passed, certainly one year will be over.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഒരു വർഷകാലത്തേക്ക് ഇങ്ങനെ മാററിവച്ചാൽ അപ്പോഴും ഈ അധഃപതനം നീങ്ങുമെന്നു മെമ്പർക്കുവിശ്വാസമുണ്ടോ ?

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): അതു ലോകത്തിലുള്ള വിദഗ്ധന്മാരായ സാമ്പത്തികാശാസ്ത്രജ്ഞന്മാർക്കു പോലും അറിയാൻ പാടില്ലാത്ത ഒരു സംഗതിയാണെന്നുമാത്രമെ സമാധാനംപറയുവാനുള്ളു.

This kind of notifications for the sale of immovable properties for land tax has been going on for several months. As land tax is naturally the first liability on the properties, we can expect that one would be most anxious to pay it even before the various necessities of life are satisfied. And if so much difficulty is found in the payment of land tax, you can imagine what his real circumstances are. As a piece of curiosity I counted the number of notifications in the last Gazette and I found the number 976. That is, approximately a thousand sales are notified in the last Government Gazette.

Another feature of the Gazette is the geometrical progression of the insolvency petitions. In the last Government Gazette alone, there

[Mr. Kainikkara M. Padmanabha Pillai.]

are 13 notifications. If these are not sufficient to bring to the mind of the Assembly the very severe depression that is felt in the country, I do not think I can make it more clear.

All that I request Government now is to grant us a moratorium for one year. According to the budget, the agricultural loans that will be repaid during this year amounts to Rs. 1,50,000. In the budget for 1108, the sum expected was Rs. 2 lakhs. In the revised estimate, it came down to Rs. 1,50,000, and I am afraid when the actuals are known, it would have gone still down. If that was the case last year, there is no reason to believe that it would not be so this year. Even without sanctioning the moratorium, I am afraid the Government have not realised so far any sum expected this year. Now, to be short, my request is this. Whatever be the circumstances, they are beyond our control and the economic machinery is at a dead stand-still. I request Government to recognise the fact and give us a breathing space. If, as Mr. Velayudhan Pillai asked me, conditions are going to get better at the end of one year or not, I confess I do not know. The greatest intellects and the greatest financial experts in the world have failed to find a real solution for the problem. Only we can hope that God in his kindness will not ask us to lead this kind of miserable life for more than a year, and in the hope that a better day is not far off, I crave the indulgence of the Government in a small matter. It is only the postponement of the realisation of Rs. 1,50,000 on account of agricultural loans, Rs. 15,000 on account of industrial loans and Rs. 35,000 on all other loans taken together, or altogether Rs. 2 lakhs. I do not think this is a huge sum for the Travancore Government. Therefore I hope that the sympathetic Government will naturally and leniently accept the request put forward by me and oblige the various citizens of the State who are finding it absolutely difficult to keep to the terms under which they obtained the money.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): In seconding the resolution, I do not think that any case need be made out in support of the recommendation contained in the resolution. The financial stringency is a fact more fully known to the Government than to the public, because we hear almost every Government member replying to the various interpellations in regard to local and other needs giving out the excuse that such needs cannot be attended to for want of funds. Here it is comparatively a very small amount of about Rs. 2 lakhs. My point is that, on the principle on which such loans are advanced to the ryots and other people, on that very same principle itself, the Government cannot insist upon repayment of the loans on conditions once agreed to between the parties and the Government, because agricultural loans are advanced on the definite understanding that, with the amount available under that, ryots will improve their lands, extend cultivation and with the increased produce they will be able to derive as a result of the labours invested by them upon the

lands they will be able to repay the loans in instalments. Government certainly did not contemplate that for the sake of his redeeming himself from indebtedness the ryot should part with his lands. What the Government expected him to do was to improve the land, increase the produce, sell them and repay the loan in instalments. Now, it is a matter of common knowledge to Government that no ryot in the State is able to pay back the loan under such circumstances, and so, my submission is that on the very same principle on which these loans are advanced, the Government ought to see, even without any recommendation from the quarters concerned, that there should be a moratorium. The same is the case with industrial loans also. We all know that industrial products manufactured here and elsewhere do not sell at such favourable rates as they used to be sold. There also the very same difficulty arises. My submission therefore is that Government have absolutely no justice if they take their stand against the recommendation contained in the resolution.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : Sir, I oppose the resolution. A general moratorium for the postponement of debts will not in any way improve matters. To give a general moratorium will mean the setting up of a dangerous precedent. It may create dead-locks in administration. So my submission is that Government must consider each case on its own merit and give relief in deserving cases.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Does the member think that there is even a single individual who has taken the agricultural or the industrial loan who is able to pay?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : Yes.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Is it from the source of agriculture or industry that he will be able to pay?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : From both.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Does the member mean to say that they will be able to pay back the debt from agriculture or industry alone? Are the poor industrialists or the agriculturists who have invested the borrowed money in the concern in a position to pay them back from the very same source?

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*) : My submission is that there are persons like that who are able to pay and that such persons need not be given any relief.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഇവിടെ അവതരിപ്പിച്ച റസല്യൂഷനെ ഞാൻ എതിർക്കുന്നു. അതിലേക്കു പലകാരണങ്ങളും എനിക്കു പ്രസ്താവിക്കുവാനുണ്ടു്. റസല്യൂഷൻ അവതരിപ്പിച്ച മെമ്പർ പ്രസ്താവിച്ചതുപോലെ അടുത്ത ഒരു ഭാവിയിൽ ഈ സാമ്പത്തികാധഃപതനത്തിനു ഗണ്യമായ ഒരു ശമനം ഉണ്ടാകുമെന്നു പ്രതീക്ഷിക്കുന്നതിനു ന്യായമായ കാരണങ്ങളൊന്നുംതന്നെ ഇല്ലെന്നു അദ്ദേഹംതന്നെ സമ്മതിക്കുന്നു.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): അങ്ങനെ ഞാൻ സമ്മതിച്ചിട്ടില്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അടുത്തകാലത്തു ഒരു ശമനം ഉണ്ടാകുമെന്നു ആശിക്കുന്നു എന്നു് പ്രസ്താവിച്ചിട്ടുണ്ടു്. ഒരു വർഷകാലത്തേക്കു വായ്പകൾ അടയ്ക്കുന്നതിനുള്ള അവധി മാററിവയ്ക്കുന്ന പക്ഷം ഈ സാമ്പത്തികാധഃപതനം ഇതേനിലയിൽ തുടൻപോകുന്നുഎങ്കിൽ അടുത്തവർഷത്തിൽ രണ്ടുവർഷത്തെ തവണകൾ ഒരുമിച്ചു കടം വാങ്ങിയവർ കൊടുക്കേണ്ടിയിരിക്കുന്നു. ഇങ്ങനെ കാലാവധി മാററുന്നതുനിമിത്തം തൽക്കാലശമനം ഉണ്ടെന്നു സങ്കല്പരൂപത്തിൽ വിശ്വസിക്കുന്നതല്ലാതെ തൻമൂലം സാരമായ പ്രയോജനം കടം എടുത്തവർക്കുണ്ടാകുന്നില്ലെന്നുമാത്രമല്ലാ അടുത്തകാലത്തു ഇരട്ടിവിഷമം അനുഭവിക്കേണ്ടിയതായും വന്നുകൂടുന്നു.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): അങ്ങനെ വരുന്നകാലത്തു ഈ അസംബ്ളി ഉണ്ടായിരിക്കുകയില്ലേ?

MR. T. P. VELAYUDHAN PILLAI (*Thiruvalla III*): അതു റഗുലേഷൻ നോക്കിയാൽ അറിയാവുന്നതാണ്.

ഈ കാരണത്താൽതന്നെ ഈ പ്രമേയം അനുവദിക്കത്തക്കതല്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): അടുത്തകൊല്ലത്തിലും ഈ കഷ്ടതതന്നെയാണു വന്നുചേരുന്നു എങ്കിൽ ആ സംഗതി പ്രമേയരൂപേണ ഇവിടെ അവതരിപ്പിച്ചു പരിഹാരം ഉണ്ടാക്കാവുന്നതല്ലേ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അങ്ങനെ ഒരു പ്രമേയത്തിൻെറ ആവശ്യംതന്നെ ഇല്ലെന്നാണു ഞാൻ പ്രസ്താവിക്കുവാൻ പോകുന്നതു്. കൃഷിവായ്പയും വ്യവസായവായ്പയും വാങ്ങിയിട്ടുള്ള ആളുകളുടെ സ്ഥിതിഗതികളെപ്പററി ശരിയായി പരിഗണിച്ചു കടം അടയ്ക്കുന്നതിനുള്ള കാലാവധി വർദ്ധിപ്പിക്കുന്നവിഷയത്തിൽ ഗവൺമെൻറിൻെറ സഹായവും ആനുകൂല്യവും അവർ ശരിയായി അർഹിക്കുന്നുണ്ടു് എന്നു കാണുന്നുഎങ്കിൽ ഡിപ്പാർട്ടുമെൻറുമേലധികാരികൾക്കു ഈ വക സൌജന്യങ്ങൾ നൽകുന്നതിനു നിയമംതന്നെ അനുവദിക്കുന്നുണ്ടു്. വായ്പകൾ തിരിച്ചു അടക്കുന്ന വിഷയത്തിൽ ഒരുവർഷത്തെ കാലാവധിമാററിവെക്കണമെന്നാണു് പ്രമേയം. എന്നാൽ ഈവക വായ്പകൾ തിരിയെ കൊടുക്കുന്നതിൽ കടം വാങ്ങിയ കക്ഷികൾ തീരെ അപ്രാപ്തരാകുമെന്നു കാണുകയാണെങ്കിൽ ഒരുവർഷത്തിനുപകരം എത്രവർഷം വേ

ണമെങ്കിലും ന്യായമായ കാരണത്തിന്മേൽ ഡിപ്പാർട്ടുമെൻറുമേലധികാരികൾക്കു കാലാവധിനീട്ടി കൊടുക്കുന്നതിന് അവകാശമുണ്ട്.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): ആ അവകാശം ഈ റസല്യൂഷൻ കൊണ്ടു എടുത്തുകളയുന്നതാണോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ആയതിനു ഈ റസല്യൂഷൻെറ ആവശ്യം ഇല്ല. ന്യായമായ കാരണത്തിന്മേൽ കൂടുതൽകാലാവധി നീട്ടിക്കൊടുക്കുന്നതിനു ഡിപ്പാർട്ടുമെൻറുമേലധികാരികൾക്കു അധികാരം ഉള്ളസ്ഥിതിക്കു അതിൻെറ വ്യാപ്തിയേയും പ്രാബല്യത്തേയും ചുരുക്കേണ്ട ആവശ്യമില്ലെന്നാണ് എൻെറ അഭിപ്രായം.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഡിപ്പാർട്ടുമെൻറു മേലധികാരികൾ അങ്ങനെ പ്രവൃത്തിക്കുന്നുണ്ടെന്നു പറയുവാൻ ധൈര്യമുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഡിപ്പാർട്ടുമെണ്ടു മേലധികാരികൾ ന്യായമായും അനുഭാവപൂർവ്വമായും പ്രവർത്തിക്കുന്നില്ലെന്നു ഞാൻ അറിഞ്ഞിട്ടില്ല. ശരിയായി പ്രവർത്തിക്കുന്നു എന്നാണ് എൻെറ അറിവ്.

അതുകൂടാതെ ഈ കൃഷിവായ്പയും വ്യവസായവായ്പയും എടുക്കുന്ന ആളുകൾ ആ വക വായ്പസംഖ്യകൾ കാർഷികമായും വ്യാവസായികമായുമുള്ള പരിശ്രമങ്ങൾക്കായി വിനിയോഗിച്ചുകൊള്ളാമെന്നുള്ള പ്രതിജ്ഞയിന്മേലും ഉറപ്പിന്മേലും പണം വാങ്ങിയതിനുശേഷം ഒററ പൈസപോലും അവർ നിശ്ചിതകാര്യനിർവ്വഹണത്തിനുവേണ്ടി ചിലവാക്കാതെ വായ്പയുടെ ഉദ്ദേശത്തിനു അശേഷം യോജിപ്പില്ലാത്ത മററു കാര്യങ്ങൾക്കുവേണ്ടി ഉപയോഗിക്കുന്നുണ്ട്.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): അങ്ങനെ വരുന്നു എങ്കിൽ മുഴുവൻതുകയും ആ ആളിൽനിന്നും തിരിയെ ഈടാക്കുന്നതിനുവകുപ്പില്ലേ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : അങ്ങനെ വകുപ്പുണ്ട്.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): ആ വകുപ്പനുസരിച്ചു ഉദ്യോഗസ്ഥന്മാർ പ്രവർത്തിക്കുന്നില്ലേ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*). ഈ മാറട്ടോറിയം അനുവദിച്ചു പാസാക്കുന്നപക്ഷം ന്യായരഹിതമായി പണം ചിലവാക്കുന്ന ആളിൽനിന്നും പണം നിയമാനുസരണം മൊത്തമായി തിരിയെ ഈടാക്കാൻ ആ കാലഘട്ടത്തിൽ സാധിക്കാതെ വരുന്നതാണ്.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): ഇതിനുമുമ്പു അങ്ങനെയുള്ള കടം തിരിയെ ഈടാക്കുന്നതിന് ഈ മാറട്ടോറിയം പ്രതിബന്ധമായിരുന്നോ?

MR. T. P. VELAYUDHAN PILLAI (*Thiruvalla III*): അതുകൊണ്ടു ഈ മാറട്ടോറിയം അനുവദിക്കുന്നപക്ഷം ന്യായമായി വാസ്തു ഈടാക്കേണ്ട ആളിൽനിന്നുകൂടി സംഖ്യ കിട്ടാതെവരും.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): വസ്തുക്കളുടെ ആദായംകൊണ്ടു കടംതീർക്കാമെന്നല്ലേ ഉദ്ദേശിച്ചിരിക്കുന്നതു്?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അതെ.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): വസ്തുക്കളുടെ ആദായം വളരെ കുറഞ്ഞിട്ടുണ്ടെന്നറിയാമോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): വസ്തുക്കളിൽ നിന്നും ലഭിച്ചുവരുന്ന ആദായങ്ങൾക്കു വില കുറവുണ്ടു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): ചില വസ്തുക്കൾക്കുമാത്രം ആദായം കുറയുകയും ചില വസ്തുക്കൾക്കു ആദായം കുറയാതിരിക്കയും ചെയ്യുന്നുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): എല്ലാവസ്തുക്കളിലേയും ആദായത്തിനു വില കുറഞ്ഞിട്ടുണ്ടു്. അങ്ങനെ ആദായം കുറഞ്ഞിട്ടുള്ള ആളുകൾ ആ സംഗതി അധികാരികളെ ബോധ്യപ്പെടുത്തുന്നപക്ഷം അവർക്കു പരിഹാരം ഉണ്ടാക്കിക്കൊടുക്കുന്നതാണു്.

MR. M. N. NAIR (*Kottayam I*): വസ്തുക്കളുടെ വിലകുറവാണോ അതല്ല വിഭവങ്ങളുടേയും വില കുറഞ്ഞിട്ടുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഈ രണ്ടുവിഷയത്തിലും കുറവുവന്നിട്ടുണ്ടായേക്കാം.

MR. M. N. NAIR (*Kottayam I*): സാമാനങ്ങളുടെ വില്ക്കറവു കളെമാത്രം ബാധിച്ചിട്ടുള്ളതാണോ അതല്ല എല്ലാവരേയും ഒരുപോലെ ബാധിച്ചിട്ടുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സാമാനങ്ങൾ വിൽക്കാനുള്ളവർക്കു എല്ലാവർക്കും ഒരുപോലെതന്നെ ഭൂസ്വത്തുജാമ്യബാക്കിൽ നിന്നും കൊടുത്തിട്ടുള്ള കടം പിരിച്ചെടുത്താണു മററുള്ള അപേക്ഷകന്മാർക്കു കടംകൊടുക്കേണ്ടിയിരിക്കുന്നതു്. ആ തുകകൾ സമയത്തിനു ഓരോരുത്തരിൽനിന്നും തിരിയെ കിട്ടാതിരുന്നാൽ പിന്നീടുള്ള അർ

ഹരായ അപേക്ഷകന്മാർക്കു ഈ സ്ഥാപനത്തിൽനിന്നും യാതൊരു സഹായവും ലഭിക്കാൻ സാധിക്കാതെ വരുന്നതാണ്. കൂടാതെ ഈ മാറട്ടോറിയം നടപ്പിൽ വരുത്തിയിട്ടുള്ള മററു സ്ഥലങ്ങളിൽ അതുകൊണ്ടു ശരിയായ പ്രയോജനം ഉണ്ടായിട്ടില്ലെന്നാണു ഞാൻ ധരിച്ചിട്ടുള്ളതു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): വേണമെന്നുള്ള ആളുകൾക്കു എത്രസമയവും നീട്ടിക്കൊടുക്കാമെങ്കിൽ അതാതുകൊല്ലത്തിൽപണം തിരിയെ കൊടുക്കാതിരുന്നാൽ വീണ്ടും കടം കൊടുക്കാൻ സാധിക്കുകയില്ലെ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla* III): ഞാൻ ഭൂസ്വത്തുജാമ്യബാങ്കിന്റെ കാര്യമാണു പറയുന്നതു്. ഈ സ്ഥാപനത്തിനു കൃഷിവായ്പയേയും വ്യവസായവായ്പയേയും പോലെ പ്രതിവർഷം ബഡ്ജററിൽ അലോട്ടുമെന്റില്ല.

MR. A. EASWARA PILLAI (*Kottarakara*): Sir, I do agree with the learned mover of the resolution that our economic condition is very miserable and that most of us are steeped in debt and the number of insolvency petitions is on the increase. But I do not agree with the specific demand made by the mover of this resolution, *viz.*, that a moratorium should be given for one year. I do not understand what relief our people can derive by giving effect to his resolution. The postponement of the payment of the existing liabilities for one year will not in any way give any relief to us On the other hand, it will only augment our economic difficulties. If the intention of the mover of the resolution was to reduce the interest or the penalty of the existing liabilities, it would have been a great benefit to the debtors. On the other hand, the mere postponement will only increase our indebtedness and the accumulation of such debts will only create considerable difficulties for future payment. The period of the moratorium is very limited. If it was for a period of five years, it would have given some benefit.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): So does not the member want a slight remedy?

MR. A. EASWARA PILLAI (*Kottarakara*): I do not consider it as a remedy at all.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): If the mover of the resolution had fixed the period at five years, would the member have agreed?

MR. A. EASWARA PILLAI (*Kottarakara*): If it is without the reduction of interest or penalty, there is no use of even that recommendation being carried into effect. For these reasons, I strongly oppose the resolution.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): Sir, I feel constrained to oppose this resolution in its present form. Much has been said about moratorium,

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Will the member please explain what is meant by moratorium?

M. T. K. VELU PILLAI (*Trivandrum-Urban*): As a lawyer I find the parallel of persons asking for partial reduction in their debts which no court of law will agree. In the same manner I cannot think of a partial moratorium so far as the Government and its debtors are concerned. The implication of moratorium makes it evident that the term contemplates a suspension of the repayment of debts by members of the community to one another. This high-sounding moratorium is therefore absolutely unnecessary and I would submit that it is even wrong. I should think that the House would agree if it was stated that "This Assembly recommends to the Government that the rules and contracts as to repayment of agricultural, industrial and other loans issued from the Land Mortgage Bank be suspended for an year". That is capable of some meaning.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): May I know what else is meant by the term moratorium by the member?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*); As a lawyer I hope my friend will understand that there is no meaning in the postponement of a partial debt. I have never heard the postponement of the repayment of a particular class of debts and the payment of the other.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Will the member explain what exactly is meant by the term?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): It is the postponement of the payment of debts by legislation or by appropriate means.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know from the member whether he is prepared to accept the resolution if it is worded in the modified form suggested by the member?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): I shall consider that question when the occasion arises.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): Has he any objection to accept the resolution if it includes the postponement of interest on loans?

MR. T. K. VELU PILLAI (*Trivandrum-Urban*); I cannot subscribe to the resolution in its present form obviously due to the fault of the language.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the member understood the intention of the mover of the resolution?

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): That question presupposes a number of things. I do not propose to answer that question. I take the responsiblityi for expressing my views and I take it that I understand the implications of words and expressions.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Sir, I rise to support the resolution that is before the House. It is a well-known fact that the agriculturists have sunk deep in debt and that they are living in extraordinary times.

Every day their condition is getting worse and not better. From the numerous applications for extension of time for repayment of agricultural loans and from the "geometrical progression"—to adopt the phraseology of the mover—of the number of insolvency petitions, and from the fact that a member of the State Council is going to introduce a Debt Conciliation Bill and also from the fact that there is general agitation for a legislative enactment postponing the execution of decrees in Civil Courts, it is clear that the condition of the people is far from happy Under these circumstances, it is nothing but reasonable that Government should extend the time of repayment of agricultural and industrial loans at least by one year. So also the loans advanced by the Land Mortgage Bank. The very object with which that Bank was established was to afford relief to the agriculturist and the industrialist. As conditions are getting worse day by day, it is only fair that some concession is shown to the debtors. Though there is some difference of opinion with regard to the wording of the resolution, the intention of the mover is clear. Therefore, I heartily support the resolution.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഈ പ്രമേയത്തെ ഞാനും പിൻതാങ്ങുന്നു. ഈ പ്രമേയത്തെ അവതരിപ്പിച്ച അവസരത്തിൽ വലിയ വാദപ്രതിവാദങ്ങൾക്കൊന്നും അവസരം കൊടുക്കാതെ ഗവൺമെൻറുഭാഗത്തുനിന്നും ഇതിനെ സ്വീകരിക്കുമെന്നാണു ഞാൻ വിചാരിച്ചിരുന്നതു്. എന്നാൽ ഇവിടെ നടന്ന വാദപ്രതിവാദം കേട്ടപ്പോൾ ഒരു റസല്യൂഷൻ മുഖേന സംഗതികളെല്ലാം ധരിപ്പിച്ചാൽ മാത്രമേ അതിനെ സംബന്ധിച്ചു ഏതെങ്കിലും ചെയ്യാൻ ഗവൺമെൻറു തയ്യാറാകുകയുള്ളുവെന്നു തോന്നിപ്പോകുന്നു. തിരുവിതാംകൂറിലെ കർഷകരായ ജനസാമാന്യത്തിൻെറ സ്ഥിതി വളരെ കഷ്ടതയിലാണെന്നു ബഡ്ജററുസമ്മേളനത്തിലും മററവസരങ്ങളിലും ദിവസംതോറും എന്നപോലെ ഗവൺമെൻറിനെ ധരിപ്പിച്ചിട്ടും അവയെല്ലാം വെറും വനരോദനംപോലെ കലാശിച്ചിരിക്കുകയാണു്. ജനങ്ങളുടെ യഥാർത്ഥമായനില ഗവൺമെൻറു ഇതുവരെ മനസ്സിലാക്കീട്ടില്ലെന്നു ഞാൻ വിചാരിക്കുന്നതിൽ വലിയ തെററില്ലെന്നു തോന്നുന്നുണ്ടു്. കരം കൊടുക്കുന്നതിനും സാധാരണ ആവശ്യങ്ങൾ നിറവേററുന്നതിനും ഇവിടത്തെ ഭൂരിപക്ഷം ജനങ്ങൾക്കും നിവൃത്തിയില്ലാതിരിക്കുന്നു എന്നുള്ളതു ഒരു പരമാർത്ഥമാണു്. ഈ സംഗതി ഗവൺമെൻററിഞ്ഞില്ലെങ്കിൽ ഈ നാട്ടുകാരുടെ സ്ഥിതി വളരെ അപകടത്തിലാകുമെന്നുള്ള സംഗതി ഞാൻ ഗവൺമെൻറിനെ ഓർമ്മിപ്പിച്ചുകൊള്ളുന്നു.

കൃഷിവായ്പ, കടംവീട്ടുന്നതിനുള്ള വായ്പ എന്നിത്യാദിയുള്ള വായ്പകൾ എടുക്കുന്നവർ ഇവിടെ ചില മെമ്പറന്മാർ പ്രസ്താവിച്ചമാതിരി വായ്പയിൽ ഉദ്ദേശിച്ചിരുന്ന ആവശ്യങ്ങൾക്കുതന്നെ ആ പണം ഉപ

[Mr. N. E. Varughese.]

യോഗിക്കാതെ മററു സാധാരണ ആവശ്യങ്ങൾക്കു വായ്പകിട്ടിയ സംഖ്യയെ ഉപയോഗിച്ചു എന്നു വന്നേക്കാമെങ്കിലും കൃഷിനടത്തി അതിൽ നിന്നും കിട്ടുന്ന ആദായംകൊണ്ടു കടം തീർത്തുകൊള്ളാമെന്നുദ്ദേശിച്ചാണു് കടംവായ്പ എടുക്കുന്നതു്. ഇങ്ങനെ കടം എടുക്കുന്നതു ധനികന്മാരോ കോടീശ്വരന്മാരൊ അല്ല, തിരുവിതാംകൂറിലെ സാധാരണക്കാരായ കൃഷിക്കാരാണു്. ഇപ്പോൾ തിരുവിതാംകൂറിലെ ഉൽപ്പന്നങ്ങളുടെ വില വളരെ കുറഞ്ഞിരിക്കുന്നതു നിമിത്തം കുഡുംബച്ചിലവുകാം, നികുതി, കുട്ടികളുടെ ഫീസ് എന്നീ ഇനങ്ങൾ കഷ്ടിച്ചു നടത്തിക്കൊണ്ടുപോകുന്നു എന്നല്ലാതെ മററു ഒരു സംഗതിയും നടത്താൻ അവർക്കു സാധിക്കാതിരിക്കുന്നു. മേൽപറഞ്ഞ ആവശ്യങ്ങൾതന്നെയും ചിലർ കടം വാങ്ങിച്ചിട്ടാണു നിർവ്വഹിച്ചുപോരുന്നതു്. ഈ അവസരത്തിൽ ഇങ്ങനെയുള്ളവർക്കു് അല്പമെങ്കിലും ശമനംകിട്ടിയാൽ നന്നായിരിക്കുമെന്നു വിചാരിച്ചാണു് ഈ സൌജന്യം ആവശ്യപ്പെടുന്നതു്.

MR. A. EASWARA PILLAI (*Kottarakara*): അതു ഒരുവർഷക്കാലത്തേക്കുമാത്രം മാററിവക്കുന്നതുകൊണ്ടു ശരിയായ പ്രയോജനം ഉണ്ടാകുമോ?

MR. N. E. VARUGHESE (*Tiruvalla I*): മനുഷ്യർ മരിച്ചുപോകുമെന്നുള്ളതുകൊണ്ടു രോഗത്തിനു മരുന്നു കുടിക്കണോ എന്നു പറയുന്നതുപോലെയാണു് ഈ ചോദ്യത്തിൻെറ താല്പര്യം.

തൽക്കാലമെങ്കിലും ഒരു ശമനംകിട്ടുന്നതു നല്ലതല്ലേ? ഒരു വർഷം കഴിഞ്ഞു് എല്ലാംനന്നായിത്തന്നെ ഇരിക്കുമെന്നു നമുക്കു വിചാരിക്കാം.

MR. A. EASWARA PILLAI (*Kottarakara*): കൃഷിവായ്പയും വ്യവസായവായ്പയും എടുത്തു വീഴ്ചവരുത്തിയാൽ അതിലേക്കു എന്തുപലിശ കൊടുക്കേണ്ടിവരുമെന്നറിയാമോ?

MR. N. E. VARUGHESE (*Tiruvalla*) : പലിശ കൂടുതൽതന്നെ.

MR. A. EASWARA PILLAI (*Kottarakara*): അങ്ങനെയുള്ള സംഗതികളിലും പരിഹാരം കിട്ടണമെന്നാണോ റസല്യൂഷനിൽ ഉദ്ദേശിച്ചിരിക്കുന്നതു്?

MR. N. E. VARUGHESE ((*Tiruvalla I*): ഒരു വർഷത്തേക്കു ഗവണ്മെൻറിൽനിന്നും കഴിവുള്ള സഹായങ്ങളെല്ലാം ചെയ്തുകൊടുക്കണമെന്നു റസല്യൂഷനിൽ ഉദ്ദേശിച്ചിരിക്കുന്നുഎന്നാണു ഞാൻ മനസ്സിലാക്കിയിരിക്കുന്നതു്.

MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): ൧൧൦൯-ലെ കരം ൧൧൦൮—നകം കൊടുത്താൽ മതിയെന്നു നിശ്ചയിച്ചിരുന്നതു നിമിത്തം ഗുണമാണോ അതല്ല ദോഷമാണോ ഉണ്ടായിട്ടുള്ളതു്?

MR. N. E. VARUGHESE (*Tiruvalla*): ഏതു സെഷനിലാണു അങ്ങനെ തീരുമാനിച്ചിട്ടുള്ളതു്?

MR. M. K. MADHAVAN PILLAI (*Karunagapally*): ൧൧൦൯-ലായിരുന്നു അങ്ങനെ നിശ്ചയിച്ചിട്ടുള്ളതു്.

MR. N. E. VARUGHESE (*Tiruvalla*): ആ അവസരത്തിൽ ഞാൻ ഈ സഭയിലെ മെമ്പറല്ലായിരുന്നു.

MR. M K. MADHAVAN PILLAI (*Karunagapalli*): മെമ്പർ അംഗമായി ഇരുന്നിട്ടുള്ള അവസരങ്ങളിൽ ഉള്ള സഭാനടപടികൾ മാത്രമേ പഠിച്ചിട്ടുള്ളവോ?

MR. N. E. VARUGHESE (*Tiruvalla*). അങ്ങനെ ഒരു പ്രമേയം പാസായിട്ടുള്ളതായി എനിക്കറിയാം, അതു ഗുണമാണോ ദോഷമാണോ എന്നു പറയത്തക്കവിധം അനുഭവത്തിൽ വന്നിട്ടില്ല.

ജനപക്ഷത്തുനിന്നും ആവശ്യപ്പെടുന്ന ഏററവും താഴ്ന്ന ഒരു അപേക്ഷയാണിതു്. ഇതു ചെയ്യുന്നതുകൊണ്ടു ഗവണ്മെൻറിനു യാതൊരുദോഷവും ഉണ്ടാകുവാനില്ല. അതിനാൽ ഈ റസല്യൂഷനിൽ ഉദ്ദേശിച്ചിരിക്കുന്ന കാര്യസാദ്ധ്യത്തിനു ഗവണ്മെൻറിൽനിന്നും എന്തെല്ലാം ചെയ്തുകൊടുക്കുവാൻ സാധിക്കുമോ അതെല്ലാം ചെയ്തുകൊടുക്കണമെന്നു അപേക്ഷിച്ചുകൊണ്ടു് ഈ പ്രമേയത്തെ ഞാൻ പിൻതാങ്ങുന്നു.

MR. M. N. NAIR (*Kottayam I*): I rise to support the resolution. The request contained in the resolution is a most modest one. I never expected this resolution would cause so much opposition here. One member argued that the resolution need not be carried because there might be a few cases in which the borrowers might be able to pay back in time. Merely because there are a few persons who do not need any relief, I do not see why the majority should not get the relief which they need so much. Another member expressed his doubt that, under the resolution, this year's instalment (now proposed to be postponed) will have to be paid along with the instalment due next year, and said that that would be almost impossible for the borrowers. I do not think the resolution suggests that, nor does the wording seem to warrant such an interpretation. What the resolution says is that a debt repayable in five years may be made payable in six years.

MR. K. C. ABRAHAM (*Kottayam II*): Does the member consider it right to be generous to a few people at the expense of the general tax-payer?

MR. M. N. NAIR (*Kottayam I*) : I waut generosity to be shown to all.

MR. K. C. ABRAHAM (*Kottayam II*) : Does not the member realise that the agricultural and industrial loan benefit, comparatively, only a few?

MR. M. N. NAIR (*Kottayam I*): I want relief to be given to *all* those who have taken agricultural loans.

Another argument that was brought forward against the resolution was that individual cases of extreme hardship might brought to the attention of Government for extension of time and that Government would readily grant extension of time in such cases : in other words, that the discretion should be given to the officere of the department, That would have been enough if the investigation of the hardship in inidvidual cases is to be done by the head of the department or by the fficers next to him. What now happens is that, as usual, the Proverthikar is asked to do it.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Am I to take it that according to the member, there is not even one who is really able to pay back the loan in time?

MR. M. N. NAIR (*Kottayam I*) ; I have already stated that there may be a few who are able to pay back in time.

MR. K. C. ABRAHAM (*Kottayam II*) : Is the member aware of the condition of all the people who have taken agricultural and industrial loans?

MR. M. N. NAIR (*Kottayam I*): No. But the prices of all commodities have gone down. Therefore, anybody who knows the conditions prevailing here can also know that it will not be possible for the average man to repay his debt in time.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : In view of such general conditions, does the member consider it fair that individual ability to repay should be investigated?

MR. M. N. NAIR (*Kottayam I*) : No, not at all.

MR. K. C. ABRAHAM (*Kottayam II*) : Is the member aware that the price of cashew-nut has gone higher?

MR. M. N. NAIR (*Kottayam I*) : No. It has also gone down.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Is any amount advanced for cultivating cashew-nut trees?

MR. M. N. NAIR (*Kottayam I*) : Only a small amount, I think.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know whether there is any representation from the people, who have already taken loans, to the effect that they are not able to pay?

MR. M. N. NAIR (*Kottayam I*) : Many have sent in their representations.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know at least one instance?

MR. M. N. NAIR (*Kottayam I*) : I know so many. So there is no necessity for enquiring specially into the case of particular persons.

think the Government authorities themselves will be able to satisfy the member that they have been getting petitions after petitions for relief, for extension and all that, and I think the member might have noticed in the Gazette nearly 1,000 cases of sale of immovable property for arrears of Government tax. If that is the case, I am surprised to hear such a question from members who are expected to know the real conditions of the people of Travancore, at least, of those people whom they represent in the Assembly (*Hear, hear*).

MR. M. SIVATANU PILLAI (*Tovala*): Am I to understand from the member that he has direct knowledge of the inability of those persons who have taken loans to repay?

MR. M. N. NAIR (*Kottayam I*); I know many cases. I think it is a dangerous policy to give any discretion in the matter of giving relief to particular individuals.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): Will the member be satisfied if the higher authorities go and investigate the matter personally?

MR. M. N. NAIR (*Kottayam I*): It is impossible, and I am not going to be satisfied with an impossible condition.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): May I know from the member whether the loans are not advanced to land-owners whose lands are sold for arrears?

MR. M. N. NAIR (*Kottayam I*): No; the loans are advanced to all those people who are interested in getting a loan to improve their properties.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): Is not the sum-total of these agricultural, industrial and land mortgage bank debts infinitesimal compared to the totality of the general debts in Travancore?

MR. M. N. NAIR (*Kottayam I*): The general debts are certainly very great.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): Is not the grant of the agricultural, industrial or land mortgage bank loan itself a concession shown by the Government?

MR. M. N. NAIR (*Kottayam I*): Yes, that was a concession when it was given.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): Does the member know that only a few persons who apply for these loans do get it?

MR. M. N. NAIR (*Kottayam I*): Yes.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): In that case, if these rules are suspended, would it not be a further concession added to a former concession?

MR. M. N. NAIR (*Kottayam I*): Because of the special circumstances under which we are placed, I think that concession is deserved.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from the member if he has got any objection to the postponement of the repayment of the debts in other instances also?

MR. M. N. NAIR (*Kottayam I*) : I have no objection at all. It is only a modest request that has been placed before the Assembly.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : What will be the total amount of the debts under agricultural, industrial and Land Mortgage Bank loans, due next year ?

MR. M. N. NAIR (*Kottayam I*) : I do not know the whole amount.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : Roughly what is it ?

MR. M. N. NAIR (*Kottayam I*) : I do not know.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : What will be the total agricultural indebtednes" in the country ?

MR. M. N. NIAR (*Kottayam I*) : My information is that it is about Rs. 25 crores.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Does the member think that the postponement of the repayment of debts is a sound principle ?

MR. M. N. NAIR (*Kottayam I*) : It is a very sound principle under such circumstances.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : But not so far as the creditors are concerned ?

MR. M. N. NAIR (*Kottayam I*): Not at all. But so far as the debtors are concerned, it is. Therefore, with very great pleasure, I support the resolution with this request that, if at all, Government are thinking of giving some relief, they must do it to the general public and not to some persons only to satisfy illegitimately those engaged in investigations.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : Sir, I am in perfect sympathy with the object of the resolution, but I am sorry I cannot see eye to eye with the mover of the resolution in regard to the form in which it is presented to us. If I had been convinced that by the acceptance of this resolution the body of persons who are intended to be benefited would really be benefited, then I would have unhesitatingly given my support to the resolution. But I am inclined to think, Sir, that instead of operating to their benefit, it would operate the other way, that is, to their detriment. It would, in most of the cases, add to the burden of these borrowers, as they would be called upon to pay two or three instalments at one and the same time. The resolution further pre-supposes, Sir, that there will be an improvement in the economic condition of the country a year hence. Sir, that is a state of affairs which I cannot visualise with any degree of certainty. Again, Sir, this principle of granting of suspension or moratorium in the repayment of loans is very unsound. It has been tried elsewhere ; it has been tried in bigger spheres. In the matter of repayment of international debts, it has been found to be attended with disastrous consequences.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Consequences to whom? To the creditor nation ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : To all the nations concerned.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know where it has been tried?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): In regard to the repayment of international debts.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Is it with reference to Germany?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): All the nations who were called upon to pay back the amounts that they had to pay after the period of moratorium.

MR. N. E. VARUGHESE (*Tiruvalla I*): മാറട്ടോറിയം അനുവദിച്ചു കൊണ്ടു ആ സ്റ്റേറ്റിന് വല്ല ദോഷവും ഉണ്ടായിട്ടുണ്ടോ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Oh, yes. It has resulted in disastrous consequences. As I said, Sir, if I were convinced that this will really give some relief to all these people, I would have supported this resolution. But in fact, it will not afford any relief to them. It is unsound in principle. It will operate harshly in the case of these people a year hence. So, Sir, I do not see any way to accept the resolution, and I oppose it.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I support the resolution specially for the very simple reason that if the resolution were accepted, it would bring home to the Government the real situation in the country. What is now wanted is only a very small measure of relief. But I would go a step further and say that this sort of relief must be given in the case of all debtors in the country. For, from the economic survey which has been taken of the agricultural indebtedness, we find varying figures given. But, at the lowest, it can never go below Rs. 50 crores at the present moment, and, as calculated by the Economic Depression Enquiry Committee, we find that the interest, taking it at the least at 9 per cent. will come to at least Rs. 4½ crores per annum. The country has been unable to pay that interest for the last four years and more, because the economic depression started in October 1929.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Who used to get this interest?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): The people amongst themselves. Of course, the Government of Travancore is not only a big landlord, it is not only a manufacturer, but it is also a creditor. In this particular instance, it is only one of the smallest of creditors in the country. It is the people who have to suffer. The amount under the heads of agricultural, industrial and other loans will not exceed Rs. 25 lakhs whereas the people in general who are creditors in the country have got to realise a sum of Rs. 50 crores with interest thereon coming to Rs. 4½ crores. There is at present no possibility of getting either the loan or the interest from any source whatsoever. Of course, it will be a good thing altogether to establish a general moratorium throughout the country putting an end to all suits and it will be helpful; also for minimising the work in courts

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head. Sirkar Vakil*): Will not the creditor people suffer ?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): In any event they are going to suffer.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Then why give relief ?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): This will point to the Government the danger to which we are drifting. Of course, we in Trivandrum do not seem to take note of the present economic condition of the country. We are living in a bankrupt's paradise. If you go into the country you will find the sort of difficulty people undergo. But here it is altogether different. We do not realise the extremely deplorable condition in which we are situated and absolutely no anxiety seems to be bestowed upon the serious economic depression in the country. Therefore, this recommendation, if accepted by the House, will be a warning to the Government to take heed of the future. Therefore, I fully support the resolution which has been moved.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I oppose the resolution. I smell something like the landed or moneyed interest asserting itself. The money collected by Government by way of interest on loans advanced to the people is always intended to be utilised in the interests of the general public at large (*Hear, hear*). I must say that any money acquired by Government in this legitimate and legal way, particularly by levying a very small rate of interest on loans advanced to people who at any rate are owners of landed property, naturally goes to the public welfare.

Here, as the resolution is worded, it appears to benefit only those people who own lands and, at the same time, on the strength of the security of their lands, have borrowed money from Government. Well, if the real intention of the mover of the resolution as well as the supporters of the resolution is to give relief to the public at large, I say they are only stultifying themselves by means of this resolution; because certainly it is not in the interests of the public of the State as a whole but only in that of a set of people who are rich enough to own lands in the State. Then it is common knowledge, Sir, that in this State of ours, here there are people, 95 per cent. of whom are landless, and I am rather surprised to hear it talked about by the members that the acceptance of this resolution will go a long way to relieve the distress of the people. If by people is meant, not the 95 per cent. who are landless but only the five per cent. who own lands, I can understand the spirit of the resolution. Sir, if the collection of any amount that has to go into the Government coffer from this five per cent. of the people is to be postponed, I am here to protest against it and say that it should be realised early in the general interests of the public at large. Sir, some members seem to shed crocodile tears and say that there should be remission of tax and giving of doles to people who are

unemployed. But at the same time they come here to make out a case that their demand is a modest one.

MR. M. N. NAIR (*Kottayam I*): May I know from the member whether the agricultural loan is intended to benefit the landowners or all the people?

MR. M. SIVATANU PILLAI (*Tovala*): Only the landowners.

MR. M. N. NAIR (*Kottayam I*): Is it the idea of the member that those persons who have taken loans from the Government in this capacity do not require any sort of relief from the Government even under special circumstances?

MR. M. SIVATANU PILLAI (*Tovala*): I heartily endorse the sentiments given expression to by Mr. T. K. Velu Pillai. The very grant of the loan itself is a concession to these landed classes, for it is given at an insignificant rate of interest, namely, six per cent., and is allowed to run over a period of 20 to 25 years which the 95 per cent. of the people could not even dream of getting.

MR. M. N. NAIR (*Kottayam I*): Even if Government insist on taking back the instalment at this time when the depression of money is so intense, does not the member think that many land-owners will have to part with their lands for a very low price?

MR. M. SIVATANU PILLAI (*Tovala*): Sir, the pity of it is that we are sent out to this House on a property qualification franchise. It is high time that adult franchise is introduced.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the land is sold, does it not pass into the hands of another inside the State?

MR. M. SIVATANU PILLAI (*Tovala*): Certainly.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Do these landless people to whom the member so pathetically refers fly in the air or live upon the lands of these agricultural debtors?

MR. M. SIVATANU PILLAI (*Tovala*): Of course they are also constituted as stout as some people but they do not fly in the air. I think and hold strongly that by this resolution the people of this State as a whole will not be benefited.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Which is the resolution that will benefit the people of the whole State?

MR. M. SIVATANU PILLAI (*Tovala*): It is for the member to help himself.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Would the member give any information on the point?

MR. M. SIVATANU PILLAI (*Tovala*): Provided the member would put the question in the proper time and proper place.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Does the member think the whole public require some help in view of the prevailing economic depression?

MR. M. SIVATANU PILLAI (*Tovala*): No doubt about it.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Does the member think that those who have taken agricultural loans or industrial loans form a section of the public?

MR. M. SIVATANU PILLAI (*Tovala*): A section of the public also is public in legal parlance. I know that because I am a little bit of a lawyer myself.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Do they form the general public in Travancore?

MR. M. SIVATANU PILLAI (*Tovala*): Certainly a part, but that section should not be encouraged to the detriment or sacrifice of the general public.

So, Sir, this resolution gives alleviation only to a minor section of the public.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the member realises that this resolution does not apply to loans granted by Co-operative Banks?

MR. M. SIVATANU PILLAI (*Tovala*): No. The Co-operative Banks would studiously oppose it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Does the member realise that the resolution does not refer to that?

MR. M. SIVATANU PILLAI (*Tovala*): I am fully aware of it. There is no necessity for the member to put such a question. I am here concerned with the agricultural loans or land mortgage loans. The member need not be in any way anxious about the Co-operative Banks, which will look after themselves.

MR. N. E. VARUGHESE (*Tiruvalla I*): നാളികേരം വിററുകിട്ടുന്ന പണംകൊണ്ടു് കടംതീൎത്തുകൊള്ളാമെന്നു വിചാരിച്ചു് ഒരു വസ്തുഉടമസ്ഥൻ കൃഷിവായ്പ എടുക്കുകയും നാളികേരത്തിനുണ്ടായ വിലക്കുറവു നിമിത്തം അയാൾക്കു പണം കൊടുക്കുന്നതിനു് നിവൃത്തിയില്ലാതെവരികയുംചെയ്യുയാണെങ്കിൽ അയാളോടു ഗവൎമ്മെൻറു് എങ്ങിനെപെരുമാറണമെന്നാണു് മെമ്പറിന്റെ അഭിപ്രായം?

MR. M. SIVATANU PILLAI (*Tovala*): ഉടനടി ആ വസ്തുവിനെ ലേലംചെയ്തു് കിട്ടുന്ന വിലയ്ക്കു അടുത്തുള്ള സാധുക്കൾക്കു കൊടുത്തു പണം ഈടാക്കണം.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഈ തരം മനസ്ഥിതിയുള്ള ആളുകളെയാണോ മെമ്പർ പ്രതിനിധീകരിക്കുന്നതു്?

MR. M. SIVATANU PILLAI (*Tovala*): എല്ലാവൎക്കും വോട്ടവകാശം കൊടുക്കണമെന്ന അഭിപ്രായക്കാരനാണു ഞാൻ.

The resolution as it stands is highly objectionable and unfair and as such I oppose the resolution. It permits people who are able to repay the loan to put off such payment; and that is not fair.

MR. S. J. NAIR (*Nedumangad*): I support the resolution. In the interests of the Government as well as in the interests of the people, in the interests of the creditor as well as in the interests of the debtor, it is essential that this resolution shall be accepted not only by this side of the House.—I mean the non-official side,—but by that side of the House—I mean the official side. Due to the prevailing economic depression in the country and the poverty of the people, if the properties that are given as securities for the loans that have been taken by the people, are put into auction today, I am sure the Government will not be able to recover their amount and no man would be able to purchase them in auction for any reasonable price. Hence I request the House that this resolution be accepted.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Sir, the resolution deals with three classes of loans, agricultural loans, industrial loans and loans issued by the Land Mortgage Bank. The discussion mainly deals with the loans issued under the Agricultural Loans Regulation. I shall speak as representing the Land Revenue Department. What is asked for by the member is the postponing for one year of the repayment of the loans taken under the Land Improvement and Agricultural Loans Regulation. Now, first of all, I wish to say—

MR. A. THANU PILLAI (*Trivandrum—Rural*): Does it not also contemplate the foregoing of interest for that period ?

MR. K. GEORGE (*Ag. Land Revenue and Income-Tax Commissioner*): No, it does not. It is only postponing of the collection of the loan.

Now, Sir, the member has requested only for a postponement for one year of the payment of the loan. I may tell the House that the Government are doing far more than that. I have statistics in my hands to show that, in as many as four hundred cases, Government have given extensions of time. Besides granting extensions of time, Government have also, in a few cases, even allowed an increase, in the number of instalments for repayment of the loans. The member's request in this resolution is only to do part of what Government are doing at present.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know the total number of cases in which extensions have been granted?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*). I cannot say exactly. Practically all the applications for extension of time are being granted.

MR. S. J. NAIR (*Nedumangad*): May I know whether Government have denied any extension of time to anybody?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Not that I am aware of.

Rule 10 under the Loans Regulation allows the authorities who grant the loans to give suspensions of time for repayment also. That rule is today freely applied.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Does that not involve payment of double the amount for the next instalment?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That is a point which we are now considering—whether suspension of one instalment does not involve a further suspension of the future instalments. This case has arisen only just now. It has not been decided. To those who are really hard up and find repayment burdensome, suspension of time is freely granted. I do not accept the statement made by Mr. M. N. Nair. People who have taken the loan apply to the Land Revenue Commissioner or the Dewan Peishkar or to the Tahsildar and the application comes to the proper authorities who have the power of granting suspensions. If a person who has taken a loan applies to the Land Revenue Commissioner, it is sent down to the Tahsildar through the Peishkar. Invariably I find that the Peishkar deals with such applications with sympathy and recommends the grant of extensions of time.

MR. M. N. NAIR (*Kottayam I*): Does the member think the Peishkar himself makes the enquiry or does he base his report on the report of the Proverthicar?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): So far as I am aware, the Peishkar generally recommends the grant of extensions of time. What I wish to say is that there is no need really to make the recommendation to Government. But as regards the request that there should be a general grant of time, I think it is both unnecessary and undesirable. In the first place, what is the necessity for granting extension of time for all, even to those who can afford to pay? There are people, no doubt, who can afford to pay. After all, the loans taken are for long periods ranging from 10 years to 20 years and the instalments are generally small; and if a man who has taken the loan is able to pay, why should we give him a concession which he does not stand in need of? After all, the money goes to the State exchequer and it becomes available for issue to somebody else. That is my first objection.

MR. T. K. ALEXANDER (*Kunnatnad I*): May I know from the member whether there is any such rule restricting these loans to people of small income?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): There is no such rule.

MR. T. K. ALEXANDER (*Kunnatnad I*): Are not the loans being given to officers with high salaries and professional men with lucrative practice?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): It is all meant for improvement of lands. They are all entitled to it. And as was suggested by that question, there are people who have taken large loans and who have to repay them only in 12 or 15 instalments.

MR. S. J. NAIR (*Nedumangad*): May I know whether big amounts are given only to big officers in the State?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : No.

The second point, as has been indicated in some of the speeches, is that the repayment would become unduly burdensome afterwards.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : No doubt, is it expected that the instalments have to be paid from the produce of the lands improved?

MR. K. GEORGE (*Ag. Land Revenue and Income-Tax Commissioner*) : It is expected so.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether the price of agricultural produce has gone down considerably ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : It has gone down. But that does not affect the Government. My argument is, a man may have other sources of income from which he can repay his instalments, and, in such a case, there is no necessity to give him extension of time.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : But in cases where loans are advanced to persons who have no other source of income ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : The Regulation does not deny grants of loans to people with money.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know whether the loans are granted on those properties which are secure ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : It is generally understood that a loan is given for a particular improvement, and from that improvement the produce of the land increases, and by selling the produce the man would be able to pay the loan in easy instalments. That is the principle underlying grant of loans. But why should we give the man who has other sources of income, who can afford to pay and who is prepared to pay the instalments, any extension of time ?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : May I know what the member has understood by the term "moratorium"?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : So far as I can understand, moratorium is a technical term which connotes the suspension under an enactment of the repayment of all debts. The word is not used here in a strictly legal sense. At the same time I can understand the intentions of the mover.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Is the interest on the moratorium to be collected now or that also only later on?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) : Moratorium does not mean suspension of payment of interest.

MR. N. E. VARUGHESE (*Tiruvalla I*) : ഒരാണ്ടത്തേക്കു ഇങ്ങിനെ സാവകാശം കൊടുത്താലും അതിനിടക്കു, പണമുള്ളവർ കൊണ്ടുവരുന്ന പണം വാങ്ങിക്കുന്നതിനു ഗവൺമെന്റിനു വിരോധമുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): പണം തരാൻ നിവൃത്തിയുള്ളവർകൂടി ഇതു നിമിത്തം പണം തരാതിരിക്കുവാൻ സംഗതിയായിത്തീരുന്നതാണ്.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഗവൺമെന്റു ഒരാണ്ടത്തേക്കു എല്ലാവൎക്കും ഈ സൌജന്യം കൊടുത്താലും പണമുള്ളവർ പണം കൊണ്ടുവന്നാൽ വാങ്ങിക്കുന്നതിനു തടസ്സമുണ്ടോ?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): യാതൊരു തടസ്സവുമില്ല. പക്ഷെ അങ്ങിനെ ആരും കൊണ്ടു വരികയില്ല.

So, what I have been saying was that it would be unduly burdensome to the debtor if the postponement of one instalment does not involve the postponement of future instalments also.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Then will the Government be pleased to modify the rules as to the repayment so that the amount need not be given in one instalment?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Government are considering that point. I have not much more to say. What I say is that Government are giving extensions of time to practically all the people who apply for such extensions. They are doing much more than what the resolution contemplates. In deserving cases Government are increasing the number of instalments and extending the period. There are may cases in which the repayments which have to be made by five, eight or ten instalments have been raised to ten, fifteen, and even twenty instalments which is the maximum allowed by the Regulation. For example, in the Trivandrum Division there are fourteen cases in which the number of instalments for repayment has been increased. In the Quilon Division, there are six such cases. On the whole, there are four hundred cases in which extensions have been granted, Trivandrum 111, Quilon 200, Kottayam 83 and Devicolam 6.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Are these figures for one year?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): No, they are figures corrected up to the end of July 1933.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What I want to know is whether these figures represent the number of extensions that are granted during one year. Otherwise the same cases will be repeated and quoted on other occasions also.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): No.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will not the same persons apply for extensions at different times?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): There will be a few cases of that kind.

Sir, I think there is no need for the House to press this resolution because as a matter of fact the Government are doing practically what the mover has asked, and I may say, even more than what he has asked. If this resolution is given effect to, it will affect those able to pay and those who are not able to pay. It will be an unnecessary advantage afforded to those people who are able to pay, while in the case of those who are unable to pay, it will be unduly burdensome to them.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I rise to support the resolution. As some of my friends said, it is not quite necessary that one should detail the difficulties experienced by the ryots during these hard times. What this resolution requests the Government is to give breathing time to debtors who have taken loans from the Government and from the Land Mortgage Bank. With regard to the position of the debtors at the present time and the relief which they seek for, I would request this House to look round and see the real feeling of the country. We find that the High Court Vakils' Association has passed a resolution requesting the Government to effect the necessary changes in the law to prevent the arrest of persons for debts. We find that there are a number of resolutions sent to this Assembly by various members requesting the Government either to prevent personal execution for debts or to prevent the sale of immovable property. It is a well-known fact that the Leader of the Liberal Party was attempting to introduce a Debt Conciliation Bill to help the poor persons who have taken loans in better times. Now the price of articles has gone down terribly. What this resolution seeks is to request the Government to give the poor ryots a breathing time and not to take the attitude of Shylock. That is all what is wanted by the resolution. But Government and even some of my non-official friends find many difficulties to accept it.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): Does Mr. Asan want Government to act as a creditor or as an agent of the Sovereign?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I want the Government to act as the Government. (*Laughter*)

Many of the members were opposing this resolution on the ground that the relief asked for by the resolution is too small. I have never come across a demand being refused because it is too small. I can understand if it is contended that the demand is too big. Here the complaint is that the relief sought for is too small.

MR. M. SIVATANU PILLAI (*Tovala*): Does the member think that, if this resolution is passed in its present form, it will be removing the liability of even those persons who are able to pay?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The people who owe money to the Government have taken the loans when they were in dire need even in better times.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): May I know how the member came to the conclusion that the people were in dire need?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Because Government advance loans only to those people who are in real need.

MR. M. SIVATANU PILLAI (*Tovala*): If this is granted, will the dire need of the people improve according to the member?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes, when he clears the debt which he has borrowed, he will be able to get some profit from the land he has improved and make his living.

One ground on which the learned Deputy President opposed the resolution is that the wording is inaccurate or ambiguous. For that purpose I took the trouble of getting Bouviers' Law Dictionary. In that the following meaning is given for the word moratorium. "*Moratorium*: a term designating a suspension of all or of certain legal remedies against debtors, sometimes authorised by law during times of financial distress." I do not think that a better meaning can be got for the expression.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): May I inform the member that according to that meaning my finding is correct?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): It is for the House to judge it. From the meaning certain legal remedies are suspended against the debtors.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Does it not authorise by statutory right?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sometimes it does.

Anyhow there is an inclination on the part of some members to oppose the resolution on the ground that there is some misunderstanding about the meaning of the word used therein. It was also said that the relief asked for benefits only a small section of the people.

MR. M. SIVATANU PILLAI (*Tovala*): May I inform the member that the wording of the resolution does not make much difference?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): To some it may mean much and to others it may not mean anything at all.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether it is not explicit enough?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): It may be explicit to those who may think so.

It was said here that the resolution, if carried, would benefit only a small section of the people. If it is conceded that it would benefit any section, that is the reason why we should allow it. I have never heard of a resolution which if passed would benefit the whole fifty lakhs of people in the State. This is a resolution which, if passed and brought into effect, would benefit a section of the people and improve their economic condition.

MR. A. EASWARA PILLAI (*Kottarakara*): May I know from the member whether a mere postponement of the payment of the loan will in any way be beneficial to any section of the people? Will it not increase their indebtedness?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Anyhow it will not *increase* their indebtedness.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Will it not be injurious to the other people because people who want money from Government may not get it?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If any Government has reached that stage, I surely feel sorry for such Government.

All that I wish to state is that the position and the attitude taken by some of my friends is not correct. If we ask for remission of tax, then they will say that we are putting the administration into difficulty by reducing their revenues; if we ask for postponement, they will say that we are obstructing the machinery of Government without real benefit to the people. I do not know then for what relief we should ask.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): May I know whether if, practically to all the people who ask for extension of time it is granted, there is any need for this resolution?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The Land Revenue Commissioner and probably the Government may be quite sympathetic in this matter. But I do not believe that the subordinate officers and the Tahsildars are considerate to the same extent. (*Hear, hear*). It is for people who have taken small sums like Rs. 500 and Rs. 600 that this will be of practical benefit, and it is they who suffer at the hands of the subordinates of the Land Revenue Department.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Have they not got the right of appeal to the Commissioner?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I do not think it is possible for the poor people to come all the way to Trivandrum and prefer appeals.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That is not necessary. They need only put in a paper.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I have never heard of any extension being granted by merely putting a piece of paper.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): If the official member agrees that, by merely putting in a petition, extension will be given in all those places, has the member any objection to withdraw the resolution?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If he issues a circular to that effect to the subordinates of the department, I have absolutely no objection.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Since some reference was made by some of the members to the Leader of the Liberal Party and his attempt to bring in a Debt Conciliation Bill, I think I also have to make a few observations. One of the points raised in the shape of a demurrer by the official member was that if all the applications for extentions are granted where is the need for carrying this resolution. The question ought to be the other way. Where is the objection then in passing such a resolution?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Is it practicable?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Where is the impracticability so long as the department holds out the promise to extend time in all cases as a matter of departmental grace?

It is an undesirable fact that there is considerable pressure on account of the economic depression in the State. Mr. Asan referred to the resolution of the High Court Bar Association as to the condition of the debtors before Civil Courts. On a previous occasion, in this House, a motion was made to the effect that there should be a remission of 25 per cent. of the land revenue due to Government, and Government met that recommendation half-way and remitted 12½ per cent. The Government Gazette is ample evidence of the impending sales of land for arrears of land revenue. Evidence as to the need for relief to the agriculturist in Travancore is therefore ample.

Now, when this question of relief to the agriculturist is raised, it brings into play an amount of jealousy from various quarters. The persons who now ask for relief, however temporary, are persons who have already had the benefit of the agricultural and industrial loans which carry a comparatively low rate of interest, not to speak of other favourable terms, and so, naturally, those persons who have not had the benefit of these loans view it with a certain amount of jealousy.

MR. M. SIVATANU PILLAI (*Torala*) : Is it not legitimate?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : It may be quite legitimate, being natural. If these loans had been shared by a wider circle, the resolution now before the House would have gone on more smoothly; or, say, the more the Government are prepared to distribute loans to the public generally, the less would be the obstruction to the resolution before the House. But, because it was only a microscopic minority, as somebody put it, that succeeded in getting these loans, it is likely to rouse a sense of invidious distinction in those persons who have not been able to get any loans at all.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Can there be jealousy from those who expect loans in future?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : They are snarling. Government seem to be anxious to extend the benefit of these loans to persons who have not had them till now, screwing if necessary those

who find themselves in low water at present. When they get back these loans and distribute them to others, the new debtors will wish for a similar resolution for extension of time.

Sir, it seems to me that the only method of eliminating this loan jealousy is to assist the debtors generally. Unfortunately, Sir, in spite of the Shakesperean motto "neither a lender nor a borrower be", Charles Lamb, himself a staunch admirer of Shakespeare, classified humanity into two classes, creditors and debtors. That state of affairs is now painfully true, and we are in sight of a position where the lenders would be few and those who want to borrow, many. Anyway, one fact is clear; there is very keen difficulty to raise money in the State. Perhaps, occasionally people forget this in the hour of need or for purposes of argument; for instance, in discussing the Statham Committee Report, it was argued by some members that, even if it comes to imposing an education cess, we must have all the reforms no matter how keen the economic depression be.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Is it not possible that the argument was advanced deliberately and not because the member who advanced it had forgotten the economic depression?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): It is quite possible; only I do not know which statement was deliberately made and which not; because at one moment the suggestion was put forward to reduce fand revenue by 25 per cent. and at another time it was suggested that lees may be enhanced and education cess imposed.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Was it not with reference to collegiate education that it was stated that fees might be enhanced?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I did not hear any such distinction being drawn: education generally was being discussed. I did not hear any specific mention of collegiate education, as though the colleges are proof against economic depression.

This resolution will, I hope, at least serve to awaken Government to a sense of what they have to do under the circumstances. When, for the purpose of relieving the agriculturist, milder measures were proposed, there was something like consternation on the part of Government in view of their inability to fulfil their obligations to the people. Certainly, such anxiety is commendable. But, is that any reason why they should ignore the hard lot of the people? Elsewhere, Governments feel anxiety for the welfare of the agriculturist; and measures are being introduced to give him relief. In the Nizam's Dominions, as I pointed out on a previous occasion, a Firman of His Exalted Highness has been issued to render such assistance to the agriculturists as is possible. In the Colonial Legislatures, various salutary measures have been brought into existence for the relief of the agriculturist. Sir, I myself sumitted a similar measure for the approval of Government; but I find that it has been turned down by the authority empowered to give the necessary permission. I am, however, going to repeat it, showing further reasons why it should be allowed.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): According to the member's scheme, the arbitrators have to be entirely ex-Judges of the High Court?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Not necessarily; any person who has held the status of a High Court Judge may be chosen.

PRESIDENT: Any reference to a matter likely to come up for discussion is out of order.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I submit, Sir, that it is out of order; but it was the question that made me answer.

Sir, I am in sympathy with the resolution whether the Government accept it or not. It serves as a timely reminder to Government as to the situation in the country. It is not good for the Government to pretend that there is no need for uneasiness. Having been informed of the distressing situation, the earlier they attend to it, the better. In that light, I am submitting the resolution has much to commend it, even if, on account of defects in its wording, there may be difficulty in the way of accepting it. It may be modified suitably and accepted by the House. If the Government are not going to pay attention to the problem, this sort of agitation for relief will not cease, and, in some form or other, it is sure to come up at each sitting of the House.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): I move that the question be now put.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir, when I moved the resolution, I was under the impression that it would have an easy course in this Assembly; but, my experience since has not been so very happy. I do not propose to deal at length with the various objections that have been raised both by the non-official and by the official members of this House. I bow to the knowledge of law of my friend, Mr. T. K. Velu Pillai. A legal flaw is quite possible in a resolution framed by one who is after all only a village pedagogue, but I can assure the House that I referred to as many dictionaries as possible before I used the word 'moratorium'. But I admit, Sir, that, if there is any ambiguity in the wording of the resolution, I am quite prepared to submit it to correction.

One objection raised was that it would give rise to a dangerous precedent if this resolution were accepted. My object in moving this resolution is to give relief to the agriculturist and the industrialist during this extraordinary situation. Any precedent would arise only if this extraordinary condition is going to repeat itself; and if it repeats itself, certainly relief will be necessary.

Another objection that was raised was that this resolution would not really relieve the debtor at all, since mere postponement would only mean accumulation of the debt and therefore greater difficulty later. Sir, those gentlemen who have put forward that argument seem to be more kind to the debtors than the debtors themselves. As far as I

know, every debtor seems to be anxious to get some time. If the members here want to be more interested in the debtors even against their own wish, I can only say that it is in a way out-heroding Herod.

Then follows the curious criticism that the resolution seeks to give relief only to a few. Another criticism was that a general moratorium would have been more advantageous and should have been proposed. I admit the latter suggestion; but, when even the present modest demand of mine is not being viewed with favour, I am sure, the other proposal for a general moratorium is sure to be rejected.

One strong argument that was advanced was that extensions might be granted in deserving cases. I must totally reject that proposal; because that undermines the very foundation of my resolution. I stand on the basis that the country as a whole is now passing through extraordinary times and that there is not one individual who does not deserve sympathy, who does not need relief at the hands of Government. If individual cases are to be chosen for this concession, that would mean that the situation does not deserve consideration by Government. Therefore, I cannot accept that proposal at all. The official member has told us that Government are doing practically everything in their power and are actually granting extension of time to everybody asking for it. That is why I submit, Sir, that my resolution is just in time. The statement by Government is a confession that every one of these debtors needs extension. If Government are actually granting extension of time in every case, I ask, why not make it a general rule as prayed for in my resolution? Why not legalise the concession?

With these words, I press the resolution.

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): The mover has practically given up his case when he said that Government are granting extensions practically to everybody applying for it.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery* I): I was simply controverting the argument advanced by the Government. I did not accept that statement; I said that, if the statement by Government was true, there could not be any harm in accepting the resolution.

MR. K. GEORGE (*Ag, Land Revenue and Income Tax Commissioner*): That is exactly my position. If that statement is true, it is clear that the resolution is absolutely unnecessary. Because, those who are not able to repay ask for extension, and they all do get it if their inability to pay is a fact. If anybody does not apply, it presupposes that he is able to pay.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Are the Government keen only about the application fees?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): It is a free country, and every one is free to apply.

It does a disservice to those who do not want to be in the debt of the Government. They are able to pay and they have got money to pay.

MR. K. R. ELENKTAH (*Kalkulam* I): If the resolution is accepted, will it stand in the way of anybody who is prepared to pay back the loan?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): No, it will not. But it gives a premium to default which is both unnecessary and undesirable. Further there are certain persons who are able to pay but who are incorrigible and who deliberately avoid payment. There are cases of persons defaulting instalment after instalment and yet Government mercifully give them extensions of time and still they would not pay and the only course in such cases is for Government to resort to compulsory recovery.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If Government found them incorrigible, why did they not proceed against them earlier instead of granting them extensions?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commisisoner*): Government have been showing mercy. But if the resolution is accepted, even those persons who ought to be proceeded against will escape the just penalty for their defaults.

Then again, there are persons who have misspent their loans. Under the rules, loans are usually given in two instalments. The first instalment is used generally for some purpose other than the one for which it was obtained. Government in such a case have got the summary power of recovering that money. But if a moratorium is granted, such persons will escape as the Government cannot proceed against them as they would be free from the liability of repaying the loan immediately. There should not be any way of escape for these people.

I believe, Mr. P. K. Narayana Pillai said that this resolution is to impress on Government that the time has arrived to look into the economic distress of the people more seriously. Sir, the Government are already aware of it. The very fact that certain measures such, as the tax remission, have been taken by Government for affordin grelief to the agriculturists shows that.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): May I know from the member why that remission was not extended to garden land owners?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That is another matter which does not arise in this connection.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Are the Government aware of the existence of a number of debtors in Civil Courts and that certain creditors are exploiting the inability of the debtors to pay?

MR. K. GEORGE (*Ag Land Revenue and Income Tax Commissioner*): That is a wider question and I do not feel competent to deal with it at present. Sir, the Government are very very sympathetic in this matter. They need not be told that there is economic distress in the country.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): May I ask whether that sympathy is confined only to paddy land owners and not to garden land owners?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): It extends to all those who are in need of sympathy.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): With regard to land tax remission, is it not confined only to paddy land owners?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Sir, I shall not go into that question now.

Another proof of the sympathy of Government which goes beyond the sympathy of the mover himself is the fact that we are increasing the number of instalments, a thing which is not contemplated by the rules.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): Is it not allowed by the rules?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): I think not.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then how are the Government going against the rules?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*) It is not going *against* the rules but it is going *beyond* the rules.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): Is there no provision in the rules for increasing the number of instalments and reducing the amount of the instalment?

MR. K. GEORGE (*Ag Land Revenue and Income Tax Commissioner*): Not without the special sanction of Government. That is not normally done. What I say is that we are doing much more than what the member himself is demanding.

MR. T. P. RAMASUBBA AIYAR (*Nominated*): Is it the case with regard to the loans from the Land Mortgage Bank and the industrial loans?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Industrial loans are in the very same position as the agricultural loans. In the case of these loans, every sympathy is shown to those who are unable to pay. In regard to the loan from the Land Mortgage Bank there is no difficulty. They give long term loans spreading over a period of twenty or more years, and this means easy instalments. Besides, so far as the Land Mortgage Bank is concerned, the question does not arise now as the loans have only very recently been issued.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether Government are prepared to consider the whole question of economic depression and afford relief by an adequate legislative enactment, comprehensive of all the troubles?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): That is too large a proposal. Even other Governments with a host of experts have not been able to propose any comprehensive measure to deal with the economic depression. So I do not think that our Government will be able to introduce a comprehensive measure to remedy all our economic difficulties.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): All the phases of the economic depression?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): No measure which any Government can bring can comprise all these.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Why not make an attempt at least

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Are Government granting extension of time because they find that even after taking coercive steps it is difficult for the debtors to pay?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): It is not because Government are finding it difficult to recover these loans by having recourse to coercive steps. No. the real motive of Government in granting extension is that the man who suffers must be helped and not that they cannot get their money by resorting to coercive steps.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is it on account of the genuine desire on the part of Government to help the needy and deserving that such a course has been adopted?

MR. K. GEORGE (*Ag. Land Revenue and Income Tax Commissioner*): Exactly so. In the circumstances, I would request the mover to withdraw his resolution.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I request the mover not to press his motion in view of the second speech of the Government member.

PRESIDENT: I shall now put the resolution to the vote of the House. The resolution is:

> "This Assembly recommends to the Government that a one-year moratorium be granted to all agricultural and industrial loans and all loans issued from the Land Mortgage Bank."

The resolution was put to vote and declared lost.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

A poll was taken with the following results:

AYES—24

1 Mr. N. Abdur Rahiman Sahib
2 ,, P. Chidambaram Pillai
3 ,, A. S. Damodaran Asan
4 ,, K. R. Elenkath
5 ,, S. J Nair
6 ,, T. S. Jayantan Nambootiri
7 ,, N. John Joseph
8 ,, T. T. Kesavan Sastri
9 ,, K. M. Krishnan
10 ,, Pottayil S. Krishna Panickar
11 ,, E. V. Krishna Pillai
12 ,, T. Krishna Pillai
13 ,, K. Kunjukrishna Pillai
14 Mr. K. Madhavan
15 ,, M. N. Nair
16 ,, P. K. Narayana Pillai
17 ,, Edavanatt S. Padmanabha Menon
18 Mr. Kainikkara M. Padmanabha Pillai
19 ,, Changanachery K. Paramesvaran Pillai
20 ,, V. Ramakrishna Panickar
21 ,, R. Raman Pillai
22 ,, A. Thanu Pillai
23 ,, N. E. Varughese
24 ,, V. K. Velappan Nair

NOES—35

1	Mr. K. C. Abraham.	18	Mr P. C. Narayanan Bhattatiripad
2	„ T. K. Alexander	19	„ B. Narayana Pillai
3	„ V. T. Chacko	20	„ Pacode A. Narayana Pillai
4	„ C. V. Chandrasekharan	21	Srimati T. Narayani Amma
5	„ S. Chattanatha Karayalar	22	Mr. G. Nilakantan
6	„ A. Easwara Pillai (Kalkulam II)	23	„ R. Nilakanta Pillai
7	„ Antony George	24	„ K. Padmanabhan
8	„ K. George	25	„ N. K. Padmanabha Pillai
9	Miss Hepzibah Gnanasikamony	26	„ Kayalam Paramesvaran Pillai
10	Mr. M. Mahomed Haneef	27	„ T P. Ramasubba Aiyar
11	„ L. H. Jacob	28	„ R. Sambasiva Aiyar
12	„ K. C. Karunakaran	29	„ K. Sankaran
13	„ K. P. Krishna Menon	30	„ R. Sivasubrahmanya Nadar
14	Rao Sahib Dr. N. Kunjan Pillai	31	„ M. Sivatanu Pillai
15	Mr. E. K. Kunjuraman	32	„ R. M. Statham
16	„ K. M. Kuriakose	33	„ T. C. Thommen
17	„ K. Mahomed	34	„ T. P. Velayudhan Pillai
		35	„ T. K. Velu Pillai

NEUTRALS—5

1	Mr. A. Easwara Pillai (Kottarakara)	3	Mr. M. K. Madhavan Pillai
		4	„ K. A. Narayana Pillai
2	„ N. K. Krishna Pillai	5	„ P. K. Thomas

The resolution was declared lost.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Sir, the House has got some sort of information that at the next meeting we shall miss you as the President of this Assembly. All partings, generally speaking, are painful. Especially is this so in your case, since your connection with this Assembly, though it goes to the very formation of it, has been all too short. The credit for having remodelled the representative institutions of the State and for the re-formation of the Legislature on a bicameral basis, goes to you in no small measure. (*Hear, hear.*) Demands of relevancy compel me to confine my observations on this occasion to your connection with this House alone; and in regard to that I have very great pleasure to give voice to our happy retrospect that your conduct as the President of this Assembly has invariably been considerate, cordial and courteous towards us. (*Hear, hear.*) Therefore on this occasion, Sir, we have very great pleasure in bidding you a hearty and regardful farewell and also in expressing our wish that in new centres of your future activity you may meet with success, prosperity and happiness (*Hear, hear.*) We also take occasion to refer, with grateful recollection, to the fact that the members of this Assembly have enjoyed the geninal hospitality of Mrs. Austin (*Hear, hear.*) I need hardly assure you that we shall cherish the memory of our happy relations for many, many years to come. With these few words, I have great pleasure in bidding you farewell and wishing you success in your future career.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*): Sir, on behalf of the members of my party, I heartily associate myself with the sentiments just now expressed by my friend Mr. P. K. Narayana Pillai. I cannot speak with any authority as to how you guided the deliberations of the Assembly on former occasions; but I know how you guided the deliberations of this, the newly constituted Assembly, during the Budget Session. And, I can assure you, Sir, that it is our firm conviction that you did it with considerable ability, tact, patience and unfailing-courtesy. We are certainly sorry that you are leaving us; but, we hope that after reverting to your permanent place, you will be raised to such positions of trust and responsibility in the British Indian service as you justly deserve.

I join my friend Mr. P. K. Narayana Pillai in wishing you and Mrs. Austin godspeed.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, this is the second session of the newly formed Legislative Assembly, when we have the privilege of sitting in session presided over by you. We carry away with us very happy recollections of our association with you as the distinguished President of this House. The fact that you were responsible, to a very great extent, for and that you were associated with, the introduction of the new reforms will ever remain a very important fact in the annals of this House. Sir, I have very great pleasure in endorsing the views of my friends, Messrs P. K. Narayana Pillai and Changanachery Paramesvaran Pillai who expressed the good wishes of their respective parties. On behalf of the Independent Party of this House, I offer you our heart-felt and sincere thanks. And, we wish you long life and a very distinguished career of usefulness in whatever sphere of life you happen to be.

MR. N. E. VARUGHESE (*Tiruvalla I*): സർ, ഈ അവസരത്തിൽ രണ്ടു് വാക്കു പറയുന്നതിന് എനിക്കും അനുവാദം തരണം.

ഈ സഭയിലെ അഫിഷ്യൽ ഭാഷ ഇംഗ്ലീഷ് ആണെങ്കിലും മലയാളത്തിൽ സംസാരിക്കുന്ന ഞാനുൾപ്പെട്ട സഭാംഗങ്ങളോടു് പ്രത്യേകം താങ്കൾ കാണിച്ചു വന്നിരുന്നതായ ക്ഷമാശീലം, ആദരവു്, സമഭാവന, എന്നീ സൽഗുണങ്ങൾക്കു വേണ്ടി ഞാൻ താങ്കളെ വളരെ അഭിനന്ദിച്ചു കൊള്ളുന്നു. ഇപ്പോൾ സംസാരിച്ച മററു സഭാംഗങ്ങളോടു ഒപ്പം ഞാനും താങ്കൾക്കു സർവ്വവിധ വിജയങ്ങളും ആശംസിച്ചു കൊള്ളുന്നു. അങ്ങിനെ സംഭവിക്കുകയും ചെയ്യുമാറാകട്ടെ.

MR. T. T. KESAVAN SASTRI (*Nominated*): സർ, പരിഷ്കരിച്ച ശ്രീമൂലം അസംബ്ലിയുടെ രണ്ടു് സെഷൻസും വളരെ മംഗളകരമായിത്തന്നെ പര്യവസാനിച്ചിരിക്കുന്നു. ഈ രംഗങ്ങളിൽ എല്ലാം സ്നേഹത്തോടും സുസ്മേരവദനത്തോടും കൂടി വളരെ ഭംഗിയായി അസംബ്ലിയെ നയിച്ച പ്രസിഡൻറിന്റെ പേരിൽ എത്രമാത്രം നന്ദിപ്രകടിപ്പിച്ചാലും മതിയാകുകയില്ല. എന്നാൽ വേർപാടിൽ പരിതാപമാണു് തോന്നു

ന്നതു്. ഈ അസംബ്ലിയിലെ ഒരു മെമ്പർ എന്ന നിലയിലും ഈ രാജ്യത്തിലെ പാവപ്പെട്ട ജനങ്ങളുടെ ഒരു പ്രതിനിധി എന്ന നിലയിലും പ്രസിഡന്റിന്റെ നേരെ എന്റെ നിസ്സീമമായ സ്നേഹബഹുമാനാദരങ്ങളെ പ്രകടിപ്പിച്ചിട്ടു അങ്ങയ്ക്കു സുദീർഘമായ ആയുരാരോഗ്യാദികളാശിച്ചു ഭാവുകം ആശംസിച്ചു കൊള്ളുന്നു.

MR. M. MAHOMED HANEEF (*Nominated*) : Sir, I have very great pleasure to thank you and to convey to you the heart-felt gratitude of the Moslem community for all that you have done to that community during your short regime in Travancore. You have always been very sympathetic towards the community to which I belong. So, on behalf of my community and on my own behalf, I pray that God Almighty may bestow upon you long life and prosperity.

MISS HEBZIBAH GNANASIKHAMANI (*Nominated*) : On behalf of my sister Srimati Narayani Amma and on my own behalf, I wish you a very sad yet inevitable farewell. During our experience in this Assembly, both in the first session and now, you have been, I can assure you, Sir, most kind to us. (*Hear, hear.*) Our claims were always considered by you, Sir, as those of the weak sex. You have been very considerate, very noble, very helpful. We are very grateful to you for all that you have done for us.

I wish to add a few words about Mrs. Austin. Kindly convey our farewell and our hearty good wishes to her for all that she has done for us during these years.

Once again, Sir, on behalf of the women of Travancore, on behalf of my sister Srimati Narayani Amma and on my own behalf, I wish you all success in your future life. May God give you and Mrs. Austin all happiness, all success.

SRIMATI T. NARAYANI AMMA (*Nominated*) : I heartily endorse the sentiments expressed by my sister Miss Gnanasikhamani; and I wish you and Mrs. Austin godspeed.

PRESIDENT : Members of the Assembly, I came down especially this afternoon to bid you good-bye as a body. I am very glad that I have not yet to say good-bye to you individually : and I am quite sure that when that time comes, it will not be good-bye for ever, because both my wife and myself will ever keep the friendships that we have made in Travancore. I am very grateful to you for the kind things you said about my presidentship. I am very proud indeed to have been President of this Assembly and of the Travancore Legislature; and, if my task as President has been easy, it is because you have been always courteous and considerate to me. You have now got great powers and with them great responsibilities, and it is my belief and my hope that you will use them to the best advantage of the State and of His Highness the Maha Raja.

Ladies and gentlemen, I thank you all again very much.

It is now my duty to adjourn this session *sine die*.

The Assembly adjourned at 4-40 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY

OFFICIAL REPORT.

FIRST ASSEMBLY.

SECOND SESSION.

Monday, the 21st May 1934/8th Edavam 1109.

The Travancore Sri Mulam Assembly met in the Victoria Jubilee Town Hall at Eleven of the clock, the Deputy President presiding.

The President, Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur, K. C. S. I., K. C. I. E., Kt. L. L. D., first took the oath of office, signed the Rolls and then took the chair.

NEW MEMBERS.

The following members took the oath of office and signed the Rolls:—

(1) Mr. E. H. Francis.
(2) Rao Sahib Dr. N. Kunjan Pillai.
(3) Mr. R. Nilakanta Pillai.
(4) Rao Sahib S. Parameswara Aiyar.
(5) Mr. Kayalam Paramesvaran Pillai.
(6) Rao Bahadur N. Ramanuja Aiyangar.
(7) Mr. R. M. Statham.
(8) Mr. G. B. E. Truscott.

QUESTIONS AND ANSWERS.

PRESIDENT: I think it is needless for me to remind you that a convention has been established, in this House, during the time of my predecessor, under which a member asking a question has the first right to put supplementary questions, if any, and that other members wishing to ask supplementary questions will get their turn only after the original interpellator has finished, provided, of course, that no member has the right to put supplementary questions on the same question more than once.

Flood damages in the neighbourhood of Cherukole Nelpura in Chennithala pakuthi.

91. *__MR. A. S. DAMODARAN ASAN__ (*Mavelikara*): Will the Government be pleased to state:

G. P. T. 1611. 350. 14-11-109. B

[Mr. A. S. Damodaran Asan]

(a) whether the difficulties experienced by the ryots inhabiting the neighbourhood of Cherukole Nelpura on the northern side of the Kulakada river in Chennithala *pakuthi* owing to the devastation caused by the recent floods, have been brought to the notice of the Chief Engineer, or any of his subordinates;

(b) if the answer to part (a) is in the affirmative, whether the locality was inspected by any P. W. D. officer and

(c) if the answer to part (a) or (b) is in the affirmative, the action taken thereafter?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (a) Yes.

(b) Yes.

(c) No action was needed, as the bund put up by the department stood well.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was it not found on inspection that the bund already put up was insufficient to prevent further devastation?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): So far as I am aware, no.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was it reported that the bund was insufficient?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): No.

First grade clerks in Sub-Registry Offices.

92. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(a) the names of first grade clerks in the Sub-Registry Offices who have put in more than 20 years of service in that capacity on 1-8-1108 and who have not yet been promoted as Head Clerks; and

(b) the names of persons who have been promoted as Head Clerks since 1-8-1108 with their periods of service as first grade clerks?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(a) 1 Mr. K Sankaralinga Aiyar
2 ,, V. Francis
3 ,, R. Narayana Pillai
4 ,, V. Purushothama Aiyar
5 ,, T. Madhavan Pillai
6 ,, A. Velu Pillai
7 ,, R. Parameswara Aiyar
8 ,, R. Nilakanta Pillai

(b)	1	Mr.	S. Nilakanta Pillai B. A.
	2	,,	O. C. Abraham B. A.
	3	,,	M. I. Samuel B. A.
	4	,,	N. Sundaram Aiyar B. A. & B. L.
	5	,,	Vaidyalinga Narayana Aiyar
	6	,,	Pothakanni Meeravu
	7	,,	R. Kesava Panikkar
	8	,,	P. Krishna Aiyar
	9	,,	R. Narayana Pillai
	10	,,	V. Narayana Pillai
	11	,,	N. Kesava Pillai
	12	,,	K. Velayudhan Pillai
	13	,,	N. Sivarama Pillai
	14	,,	K. Cheriyan B. A.
	15	,,	N. Parameswara Bhattatiri B. A.
	16	,,	Maria Michael Nadar
	17	,,	P. C. Gopala Pillai B. A.
	18	,,	M. Kesava Pillai
	19	,,	N Krishnan Nair B. A
	20	,,	K. Krishna Pillai
	21	,,	K. R. Krishnan Nair B. A.
	22	,,	V. Nilakanta Pillai

MR. A. S DAMODARAN ASAN (*Mavelikara*): I have asked for their periods of service also.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) · Of the clerks whose names I have just now read out, none except Mr. K. R. Krishnan Nair and Mr. V. Nilakanta Pillai, had any period of service as first grade clerks, in the case of Mr. K. R. Krishnan Nair, the period of such service was 10 months and 20 days and in the case of Mr. Nilakanta Pillai it was 11 months and 24 days.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Am I to understand that there was no period of service at all in the case of the others?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know in what grade they started their services as clerks ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I cannot say that now. In the Sub-Registrars' offices, there are, I believe, several grades of clerks.

PRESIDENT: Order, order. When one member is standing, the other member ought to resume his seat. Mr. Asan is still standing.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Except the last two gentlemen whom I have mentioned, none of the others in the list had any service in the first grade.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether they were second grade clerks when they were promoted as Head Clerks?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): They might have been in the second or third grade ; I cannot say that now.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What was the reason for promoting second and third grade clerks as Head Clerks when first grade clerks were available?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The rule in the Registration Department is that, for appointments carrying a salary of Rs. 30 and above, the incumbent should have passed the departmental test. These clerks in the lower grade, who have been promoted as Head Clerks, have passed the departmental test, while those in the higher grade have not.

Acting teachers in Girls' Schools.

93. * **MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether any list is maintained in the office of the Chief Inspectress of Girls' Schools with regard to the persons who have acted as teachers of Girls' Schools in the order of their seniority ;

(*b*) if the answer to part (*a*) is in the affirmative, whether it is the date of first appointment that is considered in fixing the seniority .

(*c*) if the answer to part (*a*) is in the affirmative, whether recruitments are made according to that list and if so the date of first appointment of the last recruit and

(*d*) if the answer to part (*a*) is in the negative, the basis on which the acting claims of applicants for posts are considered?

MR R. M. STATHAM (*Director of Public Instruction*): (*a*) and (*b*) The answers are in the affirmative.

(*c*) *First Part.* Yes.

Second Part. 2-12-1103.

(*d*) In view of the answer to part (*a*), this question does not arise.

Remission of tax on Ayacut lands.

94. * **MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*) Will the Government be pleased to state:

(*a*) the sum that the Government would have had to remit if they had accepted the recommendation of the Assembly to effect a 25 per cent. reduction in the Ayacut land tax for 1109 and

(*b*) the sum that has been actually remitted by the Government by the reduction of 12½ per cent. of the tax on wet lands?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) Approximately Rs. 8,74,641.

(*b*) Approximately Rs. 2, 22, 658.

The Changanachery—Wazhur road.

95. ✻ **MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*) : Will the Government be pleased to state;

(*a*) on how many occasions the Changanachery—Wazhur road became unfit for cart traffic during the recent South-West monsoons;

(*b*) how many days the P. W. D. took in repairing the road on each occasion ;

(*c*) whether cart traffic was completely stopped on any occasion ;

(*d*) if so, for how many days ; and

( ) the total sum realised by the Government from the two toll-gates (at Changanachery and Wazhur) in 1108 ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) A portion of the 4th mile of the road became unfit on two occasions.

(*b*) About a week.

(*c*) No.

(*d*) This does not arise.

(*e*) It is not possible to give this figure separately, as Changanachery and Wazhur are only two of the eight gates included under "Changanachery" and "Tiruvalla" toll-gates, which were all auctioned together.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : If the cart traffic is stopped anywhere in the road, will the matter be reported to the Chief Engineer by the local authorities?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) ; Certainly, it will be reported.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : Has not the Executive Engineer, Kottayam, written to the Chief Engineer as yet that at one time at least the cart traffic was stopped ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : I claim notice for that.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : Has not the Executive Engineer, Kottayam, written to the Chief Engineer that about the 16th of Edavam he himself found it impossible to pass along the road ?

PRESIDENT : That is furnishing information to Government and not asking for information.

Flood relief in Nedumangad taluk.

96. ✻**MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state :

(*a*) whether there was not a flood in Nedumangad taluk in the month of Thulam 1108 M. E.;

[Mr. S. J. Nair.]

(*b*) whether the Government sanctioned Rs. 300 to be given towards flood relief to the people who sufferred and lost houses at Vamanapuram

(*c*) whether the sanctioned amount of Rs. 300 was awarded to those who suffered and

(*d*) if the answer to part (*c*) is in the negative, the reason why the allotted amount was not given and the person who is responsible for not giving it in time?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*):

(*a*) Yes;

(*b*) Yes;

(*c*) & (*d*) This amount was not immediately utilised since the Dewan Peishkar, at whose instance it was sanctioned, found, after personal inspection, that no immediate relief was necessary, and reported that proposals for utilising the sanctioned amount would be sent up by him after preparing a list of buildings which had fallen down and after ascertaining the really needy among the owners of the buildings so affected. Subsequently, after due enquiry, 18 poor people among the owners of the damaged buildings were selected as really needy and deserving of help and sums ranging from Rs. 3 to Rs. 7 were distributed to them with the sanction of Government on 2-11-1108 by the Tahsildar, Nedumangad. The total amount so distributed was Rs. 96.

MR. S. J. NAIR (*Nedumangad*): May I know from the member when the flood took place?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): In Thulam 1108.

MR. S. J. NAIR (*Nedumangad*): May I know from the member when the Dewan Peishkar inspected the place?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): He first inspected it on 19-3-1108 to get first hand information about the extent of the havoc caused by the floods.

MR. S. J. NAIR (*Nedumangad*): May I know from the member who reported to the Government for the allotment for the flood damages?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The Peishkar.

MR. S. J. NAIR (*Nedumangad*): When was it?

PRESIDENT: The member, who is asked for supplementary questions and cannot lay his hands immediately on the information asked for, cannot expect the whole House to wait. The simple remedy for him is to ask for notice of the question.

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): He made a recommendation in his letter dated 3-11-1932.

MR. S. J. NAIR (*Nedumangad*): May I know the name of the Dewan Peishkar who made the report to the Government for the allotment for the flood damage and who subsequently made the recommendation to reduce the amount?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): No recommendation was made to reduce the amount.

MR. S. J NAIR (*Nedumangad*): May I know the name of the Dewan Peishkar?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Mr. Nilakanta Pillai.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether the Government had any idea of the nature and extent of the damage done when they sanctioned the amount of Rs. 300?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It was sanctioned for the purpose of giving immediate relief. No detailed estimate as to the extent of the damage or the amount required was furnished to the Government. It was intended for immediate relief to the distressed people.

Recruitment of Ezhavas as Munsiffs.

97. ***MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state whether the Ezhavas are treated as a separate community in the matter of direct appointment of Munsiffs?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member when the Ezhavas were treated as a separate community?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice of that question, Sir.

Classification of Muslims for recruitment as Munsiffs.

98. ***MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state whether the Muhammadan community is classed separately or among the "miscellaneous" in the matter of recruitment as Munsiffs?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It is classed with the "miscellaneous" group.

MR. M. MAHOMED HANEEF (*Nominated*): May I know the rank —

PRESIDENT: A bit louder, please. The chair has to hear you to find out whether the question is admissible or not.

MR. M. MAHOMED HANEEF (*Nominated*): May I know the rank of the Muslim community among the "miscellaneous" group?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The rule says that every alternate appointment in the "miscellaneous" group will go to a Brahmin. There is no rank for the other communities of that group.

MR. K. MAHOMED (*Alwaye*): May I know the reason why the Muslim community is classed among the "miscellaneous" group?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Compared with the communities which have been shown separately, namely, Christians, Ezhavas and Nairs, the Muslims, from the point of view of population, must be considered as a minority community; and

[Rao Sahib Dr. N. Kunjan Pillai.]

all the minority communities have been included in the "miscellaneous" group.

Classification of communities for recruitment as Munsiffs.

99. *MR. M. MAHOMED HANEEF (*Nominated*): Will the Government be pleased to state what all communities are denoted by the term "miscellaneous" in the matter of recruitment as Munsiffs?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Brahmins, Mahomedans and all other communities, except Christians, Ezhavas and Nairs, who are grouped separately.

Recruitment of Munsiffs.

100. *MR. M. MAHOMED HANEEF (*Nominated*): Will the Government be pleased to state the general rules laid down by them in the matter of recruiting Munsiffs from different communities of the State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): For the purpose of recruitment of Munsiffs, the communities are classed as follows:

(i) Christians { Catholics / Non-Catholics.

(ii) Ezhavas.

(iii) Nairs.

(iv) Miscellaneous, including Mahomedans, Brahmins, etc.

The above classification is subject to the following rules:—

(*a*) For every two Hindus appointed from the last group, an extra Christian will be appointed.

(*b*) Every alternate appointment in the "miscellaneous" group will go to a Brahmin.

(*c*) The candidate should be a High Court Vakil of not less than five years' standing in the High Court or District Court.

Killing of stray dogs.

101. *MR. S. J. NAIR (*Vedumangad*): Will the Government be pleased to state

(*a*) whether they are aware that indiscriminate killing of stray dogs by brutally beating with heavy sticks on public thoroughfares is resorted to in all the towns in the State; and

(*b*) whether there is any benefit to the public as a result of killing the stray dogs?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary Government*): (*a*) No.

(*b*) Yes the destruction of stray ownerless dogs tends to decrease the incidence of hydrophobia and removes to some extent obstruction to vehicular traffic on public roads.

Transfer of cases from the file of the Second Class Magistrate's Court, Kottar.

102. *MR. M. SIVATANU PILLAI (*Tovala*): Will the Government be pleased to state:

(*a*) whether they are aware of the numerous applications for transfer of cases from the file of the Kottar Second Class Magistrate's Court ever since Mr. R. Padmanabha Aiyar became the presiding officer of the said Court: and

(*b*) if so, how many applications were so filed and how many applications were allowed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) 24 transfer applications were received in all by the Additional District Magistrate, Padmanabhapuram, during the period from 19-11-1107 to 21-3-1109.

(*b*) Of the 24 applications filed, 8 were allowed.

Recruitment of Inspectors of Police.

103. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the practice of appointing undergraduate clerks employed in the Police Commissioner's Office as Inspectors was in vogue some time back; and

(*b*) why that system was discontinued?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): (*a*) Yes.

(*b*) The system was discontinued as it worked hardship on deserving Head Constables for promotion and as the clerical staff with no training in the executive branch had no claim for the post of Inspector.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the authorities would reconsider the position of the clerks in the office?

PRESIDENT: That is asking for opinion. I am afraid it is inadmissible.

Registry of wet lands in Nedumangad taluk.

104. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether there are not wet lands that lie very near the road included in Peringumala Reserve in the Palode *pakuthi*:

(*b*) whether there is not a Karikagam (wet land) known as Meeran-Vettiya Karikagam in Peringumala Reserve;

(*c*) whether it does not lie very near the road; and

(*d*) whether it was not once improved and cultivated by a Mahomedan called Meeran?

MR. K. GEORGE ((*Land Revenue and Income Tax Commissioner*): (*a*) There is no reserve by name Peringumala Reserve in the Palode *pakuthi*; but there is only the Palode Reserve in that *pakuthi* wherein there are marshy lands near the road which can be converted into paddy lands.

(*b*), (*c*) and (*d*) The answer is in the negative.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member whether there is any Meeran-Vettiya Karikagam in the Palode reserve ?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes.

MR. S. J. NAIR (*Nedumangad*): May I know from the member why that Karikagam is known as Meeran-Vettiya Karikagam ?

PRESIDENT : Order, order. That question does not arise out of the question on the paper.

Political pensions.

105. ***MR. CHANGANACHERY K. PARAMESVARAN PILLAI** (*Kunnattur cum Pattanapuram*) : Will the Government be pleased to lay on the table a statement showing the details of the political pensions paid by the State ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): The time and labour involved do not justify the preparation of the statement required by the member.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*). May I know from the member whether there is any list of pensioners maintained in the Account Office ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : Is it possible to place a copy before the Assembly ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It is a very big volume containing over 600 names and it will take a lot of time for transcription.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member whether any attempt was made to copy out the statement and place it before the House ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): No attempt was made.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was it found difficult to copy 600 names ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What was the difficulty ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It was presumed that it would take a lot of time.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : How much time would it take, according to the member, to copy the list of 600 names with the details asked for ?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Not only the names have to be copied, but also the amount of pension payable and all those things have to be copied.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member what 'all those things' mean?

MR. R NILAKANTA PILLAI (*Financial Secretary to Government*): The names mostly belong to the members of the Royal Family and a description of the family has to be included.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether there is any printed list of names?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): No.

MR. M. SIVATANU PILLAI (*Tovala*): May I know from the member the approximate amount?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Over a lakh of rupees.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): May I know from the member what he means by 'details' in his answer?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Name, surname, house name, the amount payable each month and identification marks.

MR. K. R. ELENKATH (*Kalkulm I*): May I know from the member what made him to think that the time and labour involved do not justify the supply of the information asked for?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): It is a matter of opinion.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know from the member whether the list will be placed on the table, if it is asked for?

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Yes, it will be gladly placed on the table.

Opening of the Thanki Church road.

106. ***MR. EDAVANATT S. PADMANABHA MENON** (*Shertala I*): Will the Government be pleased to state:

(*a*) what steps, if any, they have taken regarding the Thanki Church road from the 16th mile of the Alleppey Aroor road; and

(*b*) whether they are aware that sites have already been surrendered free by the people?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Administrative sanction has been accorded for constructing the first section of the road, *i. e.*, from the 16th mile Alleppey—Aroor road passing the Thanki Church for a distance of 2 miles.

(*b*) No; a written statement has been received from the land-owners expressing their willingness to part with the lands free of cost.

Ferries at Muttathukadavu and Thanki Canal.

107. *MR. **EDAVANATT S. PADMANABHA MENON** (*Shertala I*): Will the Government be pleased to state whether there are any Government ferries at Muttathukadavu and Thanki canal?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): None.

Recruitment of Second Judges from the Bar.

108. *MR. **A. EASWARA PILLAI** (*Kottarakara*): Will the Government be pleased to state whether, in the recruitment of Second Judges from the Bar, any communal claims are recognised by the Government and whether the existing representation is considered when recognising communal claims?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): For the recruitment of Second Judges from the Bar, efficiency is chiefly taken into consideration, though the claims of different communities are also borne in mind.

G. O. re. appointment of undergraduate clerks as Inspectors of Police.

109. *MR. **P. K. NARAYANA PILLAI** (*Ambalapuzha I*): Will the Government be pleased to state (i) the circumstances under which G. O. 833/33 dated 15-3-1933, prohibiting the appointment of undergraduate clerks as Inspectors of Police was passed; and (ii) who took the initiative in getting the G. O. passed;

(*b*) (i) whether anybody has been exempted from the operation of the said G. O.; (ii) if so, at whose instance; (iii) how many persons have been so exempted and on what grounds; and

(*c*) if it was the Commissioner of Police who recommended the exemptions, whether he called for the opinions of the District Superintendents before making the recommendations?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): The rule regarding the recruitment of Inspectors of Police is that 75 per cent. of the Inspectors' posts should be filled up by recruitment of graduates, the remaining 25 per cent. being reserved for promotion by selection of deserving men from the rank of Head Constables. In January 1933, the Commissioner of Police pointed out to Government the desirability of promoting deserving graduate and undergraduate clerks of his department to the cadre of Inspectors. In view of the principles laid down regarding recruitment to the Inspectors' cadre, Government sanctioned, in G. O. R. Dis. No. 490 of 33/Judl., dated the 11th February 1933, the promotion of graduate clerks alone as Inspectors. The Commissioner addressed Government again, in February 1933, recommending sanction to the inclusion of the undergraduate clerks of his department, who had already acted as Inspectors, in the list of eligibles for promotion. But, in G. O. R. Dis. No. 883/33/Judicial, dated the 15th March 1933, the Commissioner was told that the orders passed in the matter could not be reconsidered.

(*b*) Four persons who had been recommended by the Commissioner of Police as the best among the clerks who had acted as Inspectors were exempted by Government as a special case from the operation of the G. O.

(*c*) There was no necessity for calling for the opinions of the District Superintendents of Police, as the Commissioner of Police was personally aware of the merits and fitness of the clerks exempted.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know how many undergraduate clerks who have already acted as Inspectors have not been allowed the chance of becoming Inspectors?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I claim notice.

MR. K KUNJUKRISHNA PILLAI (*Quilon I*): With reference to the answer to part (*c*), may I know from the member whether the Commissioner was aware of the qualifications and merits of these men as clerks or as Inspectors?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I believe, both.

G. O. re appointment of undergraduate clerks of the Police Department as Inspectors.

110. ***MR. M. N. NAIR** (*Kottayam I*): Will the Government be pleased to state:

(*a*) whether there is not a G. O. prohibiting the appointment of undergraduate clerks of the Police Department as Inspectors of Police;

(*b*) if so, what were the circumstances under which such a G. O. was passed and under whose initiative;

(*c*) whether exemptions are granted in favour of any from the operation of the above-mentioned G. O.;

(*d*) if so, how many men have been exempted;

(*e*) whether these exemptions were granted on the recommendations of the Commissioner of Police

(*f*) what is the standard fixed by the Commissioner of Police in selecting individuals recommended for exemption;

(*g*) were the opinions of the District Superintendents called for by the Commissioner of Police before he made his recommendations for exemption;

(*h*) if not, why not;

(*i*) was it not always the practice to call for such opinions by the Commissioner of Police on such matters and

(*j*) if so, why was it not followed in this instance?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*):

(*a*) Yes;

(*b*) The member is referred to the answer to part (1) of interpellation No. 109;

(*c*) Yes

(*d*) Four;

[Rao Bahadur N. Ramanuja Aiyangar.]

(*e*) Yes;

(*f*) Efficiency and record of service as Ag. Inspectors.

(*g*) The member is referred to answer to part (*c*) of question No. 109.

(*h*) This question does not arise in view of answer to part (*g*).

(*i*) No.

(*j*) This question does not arise in view of answer to part (*i*).

The School building at Koduvazhannoor.

111. *MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Will the Government be pleased to state:

(*a*) how long it is since the Departmental School building at Koduvazhannoor tumbled down;

(b) whether any estimate has been sanctioned for the erection of a new building; if so, the date of sanction of the estimate;

(*c*) why the building has hitherto not been constructed and

(*d*) where the school is now being conducted?

MR. R. M. STATHAM (*Director of Public Instruction*): It is presumed that the member means the Nagaroor Primary School for Boys. If so, the school building did not tumble down. But it was found unsafe for occupation and so it was vacated on 17-12-1104.

(*b*) Yes 11th August 1931.

(*c*) For want of funds.

(*d*) In a rented building.

The Departmental School at Pulimath.

112. *MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Will the Government be pleased to state:

(*a*) the strength of the Departmental School at Pulimath, Chirayinkil taluk;

(*b*) whether there is sufficient accommodation in the building; and

(*c*) whether sanction for extending the building has been given; if so, when?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) 302 (on the 19th August 1933).

(*b*) No.

(*c*) Yes, in November 1932.

Road from Edava to Kappil.

113. *MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Will the Government be pleased to state whether they have received any representation regarding the opening of a new road from Edava to Kappil in the Chirayinkil taluk, and, if so, the action taken in the matter?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes the work is held up for want of funds.

Acting clerks in the office of the Director of Public Instruction.

114. *MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state:

(*a*) the names of the acting clerks in the office of the Director of Public Instruction on 15-2-1109 with the periods of their acting service and the order of seniority

(*b*) the number of vacancies that have subsequently occurred till 17-3-1109, with the names and claims of persons appointed to such vacancies, and the dates of such appointments; and

(*c*) if any person included in the answer to part (*a*) has been relieved during the period, the reasons for the same?

MR. R. M. STATHAM (*Director of Public Instruction*):

	Years.	Months.	Days.
(*a*) Messrs. P. Gopala Pillai	5	0	6
V. C. Kuruvilla	2	5	18
C. S Ramachandran Potti	1	6	14
V. P. Karunakaran Nair	0	0	3

(*b*) One Mr. K. K. Chinnameeran Rowther Sahib B. A. was appointed to act from 26-2-1109.

(*c*) One was relieved. His work was not found satisfactory.

Supply of drinking water.

115. *MR. K. PADMANABHAN (*Chirayinkil I*): Will the Government be pleased to state what has been done by them subsequent to the last meeting of the Sri Mulam Assembly in the matter of supplying good drinking water to places where it is not available?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): 2 wells in the Trivandrum Division and 2 in the Nagercoil Division have been newly sunk; 3 wells in the Nagercoil Division have been improved or repaired; and steps are being taken by the P. W. D. for sinking 21 wells, 8 in the Kottayam Division, 7 in the Quilon Division, 3 in the Trivandrum Division and 3 in the Nagercoil Division.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member whether Government have ascertained the extent of inhabited lands in Travancore?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have got a rough idea as to where good drinking water is not available but they have not made correct estimates of schemes for the supply of water where it is required.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member whether Government have received any representation from the people of Chirayinkil that good drinking water is not available?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, they may have.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member whether Government have started the sinking of two wells and have dropped half-way?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

Village Panchayat Court at Thrikkakara.

116. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) whether there is any representation for the starting of a Village Panchayat Court at Thrikkakara; and

(*b*) the decision of the Government in the matter?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*)

(*a*) No.

(*b*) Does not arise in view of the answer to part (*a*).

Teaching of Arabic in Schools.

117. ***MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of schools where provision for Arabic teaching to Muslim students was made during the last three years and

(*b*) the number of schools recommended for Arabic instruction being imparted during the period?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) 28.

(*b*) 37.

Arabic Munshies.

118. ***MR. K. MAHOMED** (*Alwaye*): (*a*) Will the Government be pleased to state:

(*a*) the number of schools in which Arabic Munshies are appointed;

(*b*) whether there is any representation for appointing Arabic Munshies in any other school in the State; and

(*c*) if so how many?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) 67.

(*b*) Yes.

(*c*) 5.

Muslims who have passed the Arabic Munshies' Test.

119. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) the number of Muslims who have passed the Arabic Munshies' Test (higher and lower grade) and

(*b*) of these how many are appointed?

MR R. M. STATHAM (*Director of Public Instruction*):

(*a*) Higher grade—21.

Lower grade—133.

(*b*) 118.

These figures relate only to the period from 1104 when the scheme for the conduct of the Higher and Lower grade Arabic Munshies' Examination came into force.

Principle for promotions in the ministerial staff of the Judicial Department.

120. *MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Will the Government be pleated to state:

(a) the basic principles on which promotions are made in the ministerial staff of the Judicial Department;

(b) whether law qualification is a main consideration in the matter of promotions; and

(c) whether the total service in a particular grade of a candidate counts in the matter of promotions?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (a) Service, qualifications and efficiency.

(b) Yes.

(c) Yes, other qualifications existing.

Promotion of Law Graduate Clerks in the Judicial Department.

121. *MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Will the Government be pleased to state whether those who obtain degrees in law examinations are given preference in the matter of promotions in the ministerial staff in the Judicial Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

Police Out-post at Kattathurai.

122. *MR. K. R. ELENKATH (*Kalkulam I*): Will the Government be pleased to state whether the Police Out-post at Kattathurai has been permanently abolished?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*) Yes.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member what were the reasons that weighed with the Government for the abolition of the Out-post?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I claim notice.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member what is the distance of the nearest Police Station from the Kattathurai Out-post?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I could not tell off-hand.

Tax on cocoanut gardens.

123. *MR. M. N. NAIR (*Kottayam I*): Will the Government be pleased to lay on the table a statement showing the amount of land tax collected on lands having cocoanut trees, in 1098 and in 1108?

MR. K. GEORGE (*Land Revenue and Income-Tax Commissioner*): Statistics furnishing the information asked for are not available.

The Alleppey Pier.

124. ***MR. S. CHATTANATHA KARAYALAR** (*Shencotta*): Will the Government be pleased to state:

(*a*) the length of time during which shipping facilities at the Alleppey pier have been impaired owing to accretions of sand;

(*b*) how long the question of improving the shipping facilities at Alleppey has been receiving the attention of Government; and

(*c*) whether they have arrived at any definite conclusion regarding the improvements to be effected and, if so, the nature of the improvements decided upon?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) On no occasion.

(*b*) From 1931.

(*c*) The answer to the first part of the interpellation is in the negative. The second part does not therefore arise.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether there has been any appreciable decrease in shipping in the port of Alleppey in recent times?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Not much.

MR. K. C. KARUNAKARAN (*Nominated*): May I know whether there has been any loss?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): There is no information about any loss.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether coastal shipping trade is carried on at the Port of Alleppey?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether there has been any coastal steamer at the port of Alleppey last week?

MR. T. C. THOMMEN (*Ag. Secretary to Government*). I claim notice.

The Miyannoor Vernacular Primary School.

125. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state;

(*a*) the date when permission was granted to the Miyannoor Vernacular Primary School;

(*b*) the number of classes allowed;

(*c*) whether the building in which this school was allowed to be conducted satisfies the requirements of the Education Code;

(*d*) if not, whether any communication from the office of the Assistant Inspector of Vernacular Schools, Quilon, District IX, was sent to the manager of the school demanding the date by which this school will be accommodated in a building conforming to the requirements of the Education Code;

(*e*) if so, the date of such communication :

(f) whether the manager has acted as required up till now ;

(*g*) whether the manager wrote to the Assistant Inspector in 1108 that the new building to house the school was completed ;

(*h*) whether the Assistant Inspector inspected the place after this communication and ascertained the truth ;

(*i*) whether the manager wrote again after this to the Assistant Inspector or to anybody else requesting for an extension of time to complete the school building ;

(*j*) whether the Assistant Inspector granted any such extension: and

(*k*) if not, what action did the Assistant Inspector or the Department take ?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) 31-5-1932.

(*b*) The first three classes.

(*c*) No, it was held in a temporary shed.

(*d*) Yes.

(*e*) 29-11-1108.

(*f*) Yes.

(*g*) No.

(*h*) This question does not arise in view of the answer to part (*g*).

(*i*) Yes.

(*j*) The Assistant Inspector asked the manager after 15 days of the receipt of his letter whether the building had been completed.

(*k*) This does not arise in view of the answer to part (*j*).

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know from the member whether after this the Inspector received any communication from the manager of the school requiring time to complete it ?

PRESIDENT : That again, I am afraid, is conveying information to Government. You may put the question in another form.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know from the member whether there was any other communication regarding the school building from the manager of the school to the Inspector of Schools ?

MR. R. M. STATHAM (*Director of Public Instruction*) : There was a communication asking for time to complete the building, which time was given.

Accommodation for the Mynjannoor Vernacular Primary School.

126. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*) : Will the Government be pleased to state :

(*a*) whether any petition has been received by the Assistant Inspector of Vernacular Schools, Quilon, District IX, or the Chief Inspector of Vernacular Schools, or the Director of Public Instruction from

[Mr. K. Kunjukrishna Pillai.]

anybody in the locality in which the Miyannoor Vernacular Primary School is situated, about the unsatisfactory and dangerous condition of the shed in which the pupils of the school are now accommodated;

(b) whether any action was taken; and

(c) if not, why?

MR. R. M. STATHAM (*Director of Public Instruction*): (a) Yes.

(b) Yes.

(c) This question does not arise in view of the answer to part (b).

Damage to paddy fields in the Edacode pakuthi.

127. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*) Will the Government be pleased to state:

(a) whether they are aware that nearly one thousand *paras* of paddy fields in Edacode *pakuthi* have been covered with sand on account of the destruction by the recent floods in the months of Edavam and Mithunam, 1108 M. E., of the dam at Putharamoola in Edacode *pakuthi* in Chirayinkil taluk;

(b) if so, whether they have granted any relief to the owners of those damaged fields and

(c) if not, the reason therefor?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (a) It is reported that an extent of 700 *paras* of paddy fields has been so covered with sand.

(b) A statement of damages caused by the floods has been sent to the Sreepadom Office, as the tax on the lands in the Edacode *pakuthi* is realised by the Sreepadom.

(c) This question does not arise in view of the answer to part (b).

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): May I know from the member whether he is aware that losses sustained were to the persons who owned large number of lands?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Government have no information.

Flood damages in the Neyyattinkara taluk.

128. ***MR. N. K. KRISHNA PILLAI** (*Neyyattinkara I*): Will the Government be pleased to state the measures that have been taken by Government for flood damages relief in the Neyyattinkara taluk since the last meeting of the Sri Mulam Assembly?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): After the Budget Session of the Assembly, bamboos and teak saplings were distributed to the poorest among the flood-stricken people of that taluk so as to enable them to rebuild their lost dwelling houses. Altogether 4,000 bamboos and 900 teak saplings were distributed in that

taluk. Government have called for statements for the remission of tax for the Kanni crop of 1109 in respect of lands damaged by the floods have been called for from the Land Revenue Commissioner.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether the Tahsildar has reported that the measures of relief are insufficient?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I claim notice.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether it is a fact that the breaches are not properly attended to?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I claim notice.

MR. K. R. ELENKATH (*Kalkulam I*): May I know the actual amount spent for relief work?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I have already spoken of the supplies of bamboos and teak saplings. The amount will be the value of these things.

MR. K. R. ELENKATH (*Kalkulam I*): My point is whether Government have any communication as to the *actual* amount spent for relief work?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*); I have no information.

Poramboke survey at Edappalli.

129. *MR. T. K. ALEXANDER (*Kunnatnad I*): Will the Government be pleased to state:

(*a*) whether there was any representation to conduct a *poramboke* survey at Edappalli (both *pakuthies*) by a special staff appointed by Government;

(*b*) whether there was any representation before the Land Revenue Commissioner to evict encroachments within the limits of Edappalli; and

(*c*) if the answer to parts (*a*) and (*b*) are in the affirmative, whether the Government have taken any action in the matter, and, if so, what?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*):

(*a*) The answer is in the affirmative.

(*b*) Yes.

(*c*) The matter is under correspondence.

Eviction of encroachments in Edappalli.

130. *MR. T. K. ALEXANDER (*Kunnatnad I*): Will the Government be pleased to state:

(*a*) whether there was any correspondence from the Public Works Department to the Land Revenue Department to evict encroachments on both sides of the way which is going to be converted as a road from 8th mile 4th furlong to Arakakadavu; and

(*b*) whether any action was taken in the matter?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) The answer is in the affirmative.

(*b*) The encroachments were removed.

NOTICE OF MOTION FOR ADJOURNMENT.

PRESIDENT: Order, order.

I have received notice of a motion for adjournment of the House for the purpose of discussing important questions arising out of reports in the Press regarding the reply made by the Dewan recently in the Munar Camp to a memorial which was presented by the All-Travancore Political Congress. I have therefore to decide, before I ask the House, whether this motion is admissible.

In the first place, it is a moot question whether any pronouncement made by the Dewan or the replies given by him to any address or deputation can be regarded as a subject-matter of discussion on the floor of the House.

In the second place, the motion has been made merely on the strength of what has appeared in the public Press. The utmost that could be said in favour of such publication will be that they are alleged to have been made by the Dewan. There is, until now, no official publication of the matter. As honourable members of the House will be aware, conflicting statements have already appeared in the public Press as to what the Dewan said or did not say.

Thirdly, I am not convinced myself that this is a matter of such urgency as to call for or necessitate the adjournment of the House to consider the motion.

For these reasons. I over-rule the motion.

WELCOME TO THE NEW PRESIDENT.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): On behalf of the members of this Assembly, the lower House of the Representative Legislature of Travancore, and on my own behalf, I offer you a most hearty welcome as our President. The representative institutions in this State are the result of the enlightened policy pursued by the late illustrious Maharaja Sri Mulam Thirunal, a policy which has been amplified and extended by His Highness Sri Chitra Thirunal Maharaja so early in His Highness' reign. There is no Indian State where the rights of citizenship, the rule of law and the forms of legislation are more respected than in Travancore. This Assembly and the Sri Chitra State Council are striving to attain to and maintain that standard of public criticism and control which the world expects to find in this premier State so rich in the intelligence of its people and in its native beauty and national resources, a State proud of its historical antecedents associated with a Ruling Family, the most ancient, the best cultured and patriotic, in all India. In Travancore, Sir, you find side by side with the smallest civil list, a colossal expenditure of public funds on education, public works and other nation-building activities. You find a

religious toleration the like of which is seldom seen even in India. You find a consciousness of safety and security in an atmosphere of genuine loyalty to the Throne. In this country, all right-thinking men and women subordinate racial, communal and religious differences to the common weal. Yet, there are divergent stand-points from which public questions are viewed. The problems of legislation and administration are difficult and complicated. But a proper solution is not impossible.

We are endeavouring to do our duty and discharge our responsibilities in a spirit of self-respect and mutual confidence. We are enjoying complete freedom of speech hedged round only by those rules which are designed to make debate useful, orderly and profitable, in conformity with the established parliamentary procedure in other countries. We adhere to forms, for we realise that form is the twin-sister of liberty. But we appreciate, all the same, the value of conventions which are but in the course of growth. The various parties and interests, including the Government, are working together in a spirit of good will and there is perfect mutual confidence between the House and the Chair. The diginity, prestige and authority of the Chair is dear to us all.

We are happy, Sir, that in you we are welcoming a distinguished son of India who has established, throughout his own country and in the wider British Empire, a reputation for true patriotism, a love of truth and justice, a conciliatory kindness and a judicial detachment. This is the first time that this House is able to secure as its President a statesman with such intimate acquaintance as you possess with the working of Local and Central Legislatures in British India and a knowledge of the aims and aspirations of that august body which envisages the welfare of the world notwithstanding the barriers of geographical, racial, linguistic and religious divergences—I mean the League of Nations. We feel sure that the traditions of this House will be safe under your guidance and that your association will redound to its prestige, strength and influence for good. We hope that Travancore will take its recognised place in the fore-front of Indian States in the National Parliament of Federated India. We are proud to welcome you, Sir, as our President.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): I may say, before we proceed, that, though I entirely agree with my learned friend in welcoming you, Sir, as the President of the Assembly, and the sentiments expressed in that connection, that I regret to say that we were not consulted about this reference, and I do not agree with some of his statements which are irrelevant to the occasion.

PRESIDENT: Members of the Sri Mulam Assembly, as this is the first occasion on which, by virtue of my office as Dewan, it is my privilege to preside over the deliberations of the Assembly, I wish, if I may, to extend to you my warm greetings and to express

[President.]

the hope that our relations will be happy and cordial during the time that I shall have the honour to be your President. Indeed the manner in which you have welcomed me and the nice things you have said about me fill me with hope. It is needless to assure you that they are a source of great encouragement to me in the performance of my duties. It was my intention to summon a joint session of the two Houses and address them together; but as the session of the other House will begin about a week later, I could not persuade myself to summon them to-day as I felt it would be highly inconvenient to them.

It is not perhaps unknown to you that my association with Legislative bodies has been long, intimate and varied. It was in the year 1909, when the Minto-Morley Reforms were ushered in in British India, that I had the rare fortune of being elected to the Madras Legislative Council by the General Electorate—in which, of course, the Hindu voters predominated—an incident in my life of which I have always been proud. Subsequently, both as member of the Madras Executive Council and of the Governor-General's Executive Council, I was connected with Provincial and Imperial Legislatures for over a decade. I may thus claim that I possess some knowledge of the working of Legislative bodies in British India. It is needless to assure you that whatever knowledge I have obtained and whatever experience I have gained in that field will be placed at your disposal so that, with our conjoint efforts, we might make our own Legislature, over which I preside, as model of what such institutions should be. Believe me when I say that it will always be my endeavour to uphold the diginity and independence of the Assembly and the State Council—of which also I am the President—and I believe I am correct in anticipating that I shall have your whole-hearted support and co-operation for that purpose.

However perfect and exhaustive the Rules, Regulations and Standing Orders may be, and however much they may have made provision for all matters of detail and procedure to regulate the conduct of proceedings, there will still be questions which may require to be decided by conventions, either created here or worth adoption from similar bodies elsewhere. I hope, as we go on, you may keep this fact in mind and, if and when the necessity arises, establish wholesome conventions to smoothen and facilitate transaction of business. Any help which I can render in that direction will be at your service.

I hope there is no impression in any quarter that the Legislature and Government are the antagonistic parts of the administrative machinery and that the former exists merely to criticise the actions of Government and to give publicity to its defections, if any. To my mind nothing can be farther from the truth. Having, as I said, worked both as an elected non-official member of a Legislature and as an *ex officio* nominated member of other Legislatures, I have always

regarded a Legislative body which owes its existence to a Statute framed by Government and which, in this case, is the product of the Royal pleasure of the Ruler, as an integral part of Government; in other words, both have equal responsibilities for the good and efficient conduct of the administration of the country. Judged from this standard, I fervently hope that our discussions in this House will be conducted in a spirit of harmony, goodwill and correct understanding. Let it be remembered that both Government and the Legislature have a common purpose to serve, namely, the happiness, prosperity and contentment of the loving subjects of our Gracious Sovereign. Let us always cherish in our mind the ennobling and inspiring message with which His Highness the Maharaja inaugurated the first session of the Reformed Legislature. "Politics", observed His Highness, "are but a means to an end and there is need for a wide outlook and a patriotism that transcends temporary and accidental barriers of birth and creed to bring about the rehabilitation of our agriculture and the development of our industries and the general levelling up of our standards with a view to secure for our people the peace and prosperity that are the aim as well as the justification of all governments."

I am not unmindful of the fact that your performances as members of this Honourable House have been borne testimony to by my predecessor. When you bade him a regretful good-bye at the last session, Mr. Austin gave unequivocal expression to the fact that he was very proud to have been the President of this Assembly and the State Council and he added that, while you have now great powers and with them great responsibilities, it was his belief and hope that you would use them to the best advantage of the State and of His Highness the Maharaja. May I express the fervent hope that, when the time comes for me to say good-bye to you, I shall have the opportunity of adding my own tribute to that testimony.

Before I conclude, I shall, with your permission, invite your earnest attention to the obligations which have been imposed on you both by Rules and Standing Orders in regard to the framing of interpellations and resolutions. As President of this House, the duty of admitting or rejecting them has been cast on me by law. In the course of the discharge of these duties, I regret to bring to your notice that, in several instances, the limitations and conditions subject to which interpellations may be asked and resolutions moved have not been adhered to. As this was the first session in which I had to exercise those powers, I have deliberately brought greater leniency to bear in their admission and rejection. I will, however, impress upon you the need for a strict observance of the provisions of the Standing Orders. There is generally a tendency either to ask for the opinion of Government or for a statement of their policy or for an expression of their future intentions. As members will themselves recognise, interpellations are merely vehicles for obtaining information from Government on matters of public interest. I wish also to caution you against the tendency which seems to exist of sending to the Press advance copies of interpellations

[President.]

or resolutions, as the case may be, before they have been admitted by the President. Such a procedure has been condemned in strong terms by every other President elsewhere and I hope that both the members and the public Press will co-operate with me in refusing to yield to such a temptation. I have glanced through some of the proceedings of the two Houses of Legislature and I notice a tendency on the part of some members to convert themselves into cross-examining counsel and to subject each other to volleys of questions across the table. Such a procedure does not add to the dignity of the House and will, I hope, cease to exist. If any information has to be elicited or any matter under discussion elucidated, the member seeking such information or elucidation can do so only through the Chair and not by a direct dealing with his colleagues. Another matter on which I wish to warn you is the habit of subjecting a speaker to interruptions in the course of his speech. It must be remembered that, when any Honourable member is addressing the House, he is in possession of the House and under the protection of the Chair. While such interruptions are a source of embarrassment to the speaker, they detract from all decorum which is essential for orderly conduct of proceedings in the House. Believe me, I have not made these observations in a spirit of carping criticism, but with a sincere desire to raise the standard of our discussions to that level which should be the aim and purpose of all of us.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I wish to raise a point of order, Sir. The first is whether any member of this House can speak on behalf of any other without previously obtaining his authority express or implied. The second point is whether the members of this House would hereafter be called "Honourable" members in view of a ruling of the Deputy President when he was the President of the Assembly at the last sitting. These are the two important points I have to raise and I request you, Sir, to clear these two doubts.

PRESIDENT: With regard to the latter, I may at once say that, although the members are not entitled to be called 'Honourable,' all the same, nothing is seriously wrong if this term is used as a matter of courtesy between each other. That term is used in houses where the members are not at all "Honourable". Even in the Madras Legislative Council or in the Legislative Assembly, under the Statute, they are not called Honourable members, but as between themselves they extend that courtesy between each other and I do not think there is anything seriously wrong about it or that it is a violation of law or statute.

As regards the former, that is, whether one member can speak on behalf of another if he is absent, I am afraid, I cannot give a ruling until such contingency arises.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether a member can speak on behalf of another without the sanction, expressed or implied, whether he is present or absent?

PRESIDENT: When such a contingency develops, I will lay down the ruling. I am not expected to give answers to hypothetical questions.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): This doubt has arisen on account of the statement made by the Deputy President and the observations made by the leader of our party when he said that, even though he agreed with all the sentiments contained in the speech of the Deputy President welcoming the Dewan as our President, he did not agree with some statements made there because they are statements made without consulting us. Under the circumstances, I wish to know if it is our leader who is in the right or the Deputy President who made the statement without consulting us.

PRESIDENT: I wish you will settle the matter between yourselves. (*Laughter*).

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): I began by saying "on behalf of the members of this House" and I made a pretty long speech. Friends belonging to all parties and those who belong to no party were listening with very great attention, so that I do not know whether it is open to any member now to say that it was not on his behalf that I spoke a few words. I definitely and distinctly stated in the commencement that I was addressing the President on behalf of the members of this Assembly.

I may also mention, Sir, that I did not take to myself any power which I did not possess. Welcoming the President when he comes for the first time is an act of courtesy. Some of my friends casually mentioned that I should perform that act. That is all. No formal consultation was necessary and there were no formal consultations on previous occasions. I was quite right in following the precedent. The House will kindly excuse me for taking their time for this explanation.

STATEMENT LAID ON THE TABLE.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Under Rule 76 of the Travancore Legislative Rules, I beg to lay on the table the following statement of expenditure authorised by the Government under Section 32 of Regulation II of 1108:

[Mr. R. Nilakanta Pillai.]

Demand.	Amount.	Particulars.
XXIII. Miscellaneous.	(For 1108) 10,797	For Flood Relief charges of 1108.
I. Land Revenue.	(For 1109) 2,100	For expenditure under Taluk Cutcherries, Law Charges.
V. Education.	203	On account of the appointment of three additional peons in the Office of the Director of Public Instruction.
	1,200	For the appointment of the Financial Assistant in the Office of the Director of Public Instruction.
	1,503	On account of the pay of the clerical staff and contingencies of the re-constituted Text Book Committee.
	3,563	To pay off the claims of the Madras Government on account of the reservation of seats in the Medical College, Madras.
VI. Medical, Public Health and Sanitation—Medical.	500	For the supply of furniture to the temporary shed in the General Hospital in connection with the outbreak of typhoid epidemic.
	1,000	For the construction of a temporary shed in the General Hospital premises for the admission of typhoid cases.
	40	For petty construction and repairs to the buildings and premises of the General Medical Stores.

Demand.	Amount.	Particulars.
	264	For the entertainment of a temporary additional staff of 2 trained Nurses, 2 Warders and 2 Scavengers in the General Hospital in connection with the outbreak of typhoid epidemic in the Trivandrum Town.
	1,500	For the maintenance of X-Ray in the General Hospital and of the pumping plant in the Women and Children's Hospital.
VIII. Medical Public Health and Sanitation — Public Health and Sanitation.	745	For the continuance of the Mosquito control work in the Public Health Department to the end of the year.
IX. Police.	500	Under District Police contingencies—special rewards.
X. Buildings, communications and Miscellaneous Public Improvements, Protective Irrigation, Irrigation Capital Account, Productive Irrigation — Working expenses, and Trivan drum Water supply-Working expenses.	13,000	On account of repairs to the Vaikam-Udayamperoor road.
	6,740	On account of repairs to the Alwaye-Parur Road.
	14,900	For special repairs to the Main Southern Road, etc.
	650	For painting the roof of the Public Offices on the Southern portion of the Durbar Hall.

[Mr. R. Nilakanta Pillai.]

Demand.	Amount.	Particulars.
	3,170	For remetalling the 2nd mile of the Main Southern Road.
	7,950	For providing additional *Junghars* at Poothotta and Murinjapuzha and putting up jetties at Alwaye and Periyar crossings.
	2,750	For repairs to the 8th mile, Quilon-Shencottah Road.
	3,695	For remetalling the approach road from Central Railway Station to the Main Road.
	830	For the reconstruction of the fallen compound wall on the northernside of the Law College.
	3,000	For re-surfacing and gravelling the sides of the Trivandrum-Quilon Road from Chief Engineer's Office to Pattom Palace.
	810	Special repairs to the Quilon Travellers' Bungalow in connection with the Visit of H. E. the Viceroy.
	1,860	Repairs to Katchani-Aruvikara Road.
	1,960	Remetalling the road from southern gate of the Residency to Chalai.
	410	For repairs to the Fort walls and gate.
	640	For repairs to the Lyndhurst Bungalow.
	1,720	For constructing an aviary in the Government Museum and Public Gardens.
	1,890	For special repairs to the Women and Children's Hospital in connection with the Visit of H. E. the Viceroy.

Demand.	Amount.	Particulars.
	2,950	For erection and decoration of the *pandal*, the presentation of the silver trowel and set etc., in connection with the laying of the Foundation Stone of the new Council Chamber by H. E. the Viceroy.
	1,040	For certain special repairs to the Durbar Hall.
	25,000	For the work of providing additional accommodation for the major carnivora in the Zoo.
	375	For providing planked walling with glazed windows to the eastern verandah of the Account Office.
	2,580	For remetalling the road from Pazhavangadi Fort gate to West Fort gate in connection with the Pallikettu Ceremony.
	1,420	For the construction of a Septic Ward in the District Hospital, Shertala.
	3,340	For providing a compound wall with iron railings in front of the Collegiate Hostel.
	2,141	On account of lands acquired for the construction of a bridge over Manimala River at Mallapally crossing.
	2,500	For renewing the worn out girders in the Valiathurai Pier.
	6,045	For payment of compensation for the lands acquired in connection with the proposed improvements to the road from General Hospital to Vanchiyoor School.
	2,443	For rebuilding the two over-bridges at either end of the Alwaye Railway station.

[Mr. R. Nilakanta Pillai.]

Demand.	Amount.	Particulars.
	29,000	For the conversion of the Mascot Bungalow into a Hotel.
	3,000	For running the Mascot Hotel departmentally.
	970	For certain special repairs to the Kottayam Travellers' Bungalow and Camp-shed in connection with the Visit of H. E. the Viceroy.
	2,760	For improving the trace from 12th mile Devicolam-Bodimettu road to Santhanpara *via* Vylakudi-Manalar road.
XII. Administration of Justice.	4,296	On account of the pay of the staff and contingencies of the newly appointed European Judge of the High Court.
XVI Forest.	4,000	For the staff for the investigation of the *eatta* growth in Neriamangalam-Pallivasal area in connection with the starting of an up-to-date Pulp and Paper Mill somewhere near Alwaye.
XXII. Ports.	1,050	For repairs to the boiler at the Alleppey Pier.
XXVI. Scientific and Miscellaneous Departments—other than the Co-operative Department.	400	For effecting certain improvements to the compound of the Public Library and for the temporary appointment of a gardener for 2 months.
	6,000	For the purchase of two cow giraffes for the Government Museum and Public Gardens.
XXVII. Miscellaneous.	75	For meeting the remuneration of clerks engaged for proof correction in the Public Service Recruitment Committee's office.
XXX. Quilon—Trivandrum Railway.	16,190	For the acquisition of $4\frac{1}{2}$ acres of land adjoining the premises of the Trivandrum Central Station.

LEGISLATIVE BUSINESS.

THE TRAVANCORE (MATCHES AND OTHER ARTICLES) EXCISE DUTY BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to introduce a Bill for imposing excise duty on matches and other articles. The Bill has been published in the Gazette with a Statement of Objects and Reasons and I beg to move that the Bill be read in Assembly.

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I oppose the introduction of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, my motion has been seconded I shall now briefly explain the principles involved in the Bill. The main purpose of the Bill is to levy an excise duty on matches manufactured in Travancore. The rate of duty is specified in clause 4 of the Bill, and the proposal is to levy a duty per gross of boxes having regard to the content of each box. As the honourable members may see from clause 4 of the Bill, sub-clauses (ii) and (iii) lay down that the duty is Br. Re. 1 per gross of boxes where the average number of matches in a box is 40 or less and that it is Re. 1 as. 8 per gross of boxes where the content of each is more than 40 matches but less than 60 and Rs. 2 per gross of boxes where the number in a box is more than 60 but not more than 80. This rate of duty works out at about 3 cash per match box where a box contains 40 matches and it will be proportionately larger where the content of the box is larger. For instance, if the content is 80 matches, the duty will be about 6 cash per box. The main principle involved in this Bill is the imposition of the duty.

Clauses 7 to 9 provide for the procedure and machinery for the efficient collection of the duty. Clauses 5 and 10 to 16 provide for penalties for the evasion of the payment of duty and for contraventions of the rules of procedure, etc. Clause 18 provides for the rule-making power. In clause 20, the power is proposed to be taken by Government for the imposition of duty on such other articles as Government may think it necessary to do so from time to time. Honourable members will thus see that the principle involved in the Bill is very brief and simple.

The immediate occasion for the introduction of this Bill is the imposition of a similar duty in British India by an Act passed there very recently, *viz.* the Match Duty Act passed by the Indian Legislative Assembly for the whole of British India. The rate of duty proposed by this Bill is exactly the same as that proposed by the British Indian Legislature. And, in fact, the procedure and the machinery for the collection of the duty and the other provisions of the proposed Bill are practically the same as those laid down by the Indian enactment. In fact, the Bill is but an adaptation of that Act. Honourable

[Mr. Kayalam Paramesvaran Pillai.]

Members who have been following the proceedings of the Indian Legislature would have noticed that the British Government have invited the co-operation of the Indian States in the matter of the efficient collection of this duty and that for a very good reason. The Indian States and British India lie interspersed and where such matters have to be regulated it is very necessary in some cases that the States should act in unison with British India. In this particular case, in regard to the imposition of the match duty, it will be realised that co-operation has become very necessary for some special reasons. If there is no co-operation and if the States do not impose a like duty for their territories, there will be an unfair competition between the industry in British India on the one hand and the States on the other. More than this, if there is no equivalent duty in the States, there is likely to be undue transference of the match industry from British India to the States, because the machinery required for making matches is very small and light and can be easily moved. Furthermore, there is also the fact that in the nature of the matches it is very easy to smuggle matches from the States into British India and such smuggling will happen if there is no equivalent duty in the States. Therefore the British Government invited the co-operation of the States and requested them to impose similar duty in their States ; and as I said before, the Honourable Members who have been following the Government of India Finance Member's speech must have noticed that most of the States have agreed to co-operate. It is accordingly necessary that Travancore also should agree to co operate. It is in the light of this important fact that this Bill has been introduced.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know from the member what was the reason for imposing such a duty ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : For revenue purposes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Does that reason exist here ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Considerations of revenue need not be left out of account even here. But I may say frankly that the immediate cause is not any such consideration, but it is the necessity for the co-operation of Travancore with British India. We are all members of the same Indian Empire and it is necessary that, when the major partner of British India is trying to regulate matters in their territories, we should not take a hostile attitude, or any attitude which in the result is hostile.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know from the member whether all the Indian States have entered into this agreement ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : From the honourable the Finance Member's speech it will be seen that a great majority of the Indian States have signified their willingness to enter into agreement and to introduce corresponding duty on matches in their territories also.

Sir, I was saying that the immediate occasion—although revenue consideration need not be quite out of our minds—for bringing this Bill today is the necessity for Travancore to co-operate with British India as we are all members of the same Indian Empire; it is necessary that we should not take any such attitude as would defeat the endeavours made by British India in legitimate ways to raise their revenues.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know from the member whether our Government could expect the same kind of co-operation from the British Government in the matter of cocoanut industry?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, that is beyond my purview; I am now concerned only with this Bill; but I may certainly venture to suggest that as regards all such matters we may very reasonably expect the co-operation and assistance of the British Indian Government.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Is it possible for us to get any idea as to the additional revenue that we can expect as a result of this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The arrangement is that the proceeds of the duty levied here and in British India will be pooled together and distributed amongst the States and British India in proportion to their population: and it is expected that we will get about 4 or 5 lakhs of rupees annually in the division, or some such figure. That is why I submitted that revenue need not be kept entirely out of consideration. But, of course, as I said, to put it frankly, the consideration which mainly and primarily induces Government to come forward with this Bill is the desire to co-operate with the British Indian Government.

MR. S. J. NAIR (*Nedumangad*): May I know what the member means by the expression 'and other articles' in the title of the Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, that does not arise at this stage when we are considering the general principles of the Bill; none the less, I have no objection to enlighten the member. The idea is that the Government may take, under this Bill, power to impose similar excise duty on other articles also.

MR. EDAVANATT S. PADMANABHA MENOM (*Shertala I*): May I know whether there is any definite understanding, in regard to this duty on matches, between this Darbar and the British Indian Government?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know whether there is any provision in the British Indian Act similar to the provision in clause 6 of this Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am afraid, at this stage, such details do not arise; we are now dealing with the general principles of the Bill.

PRESIDENT : We are now discussing the general principle of the Bill. There will certainly be a stage, later on, when members will have ample opportunity of discussing details, clause by clause.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : With reference to the statement that our Government can expect an additional revenue of about 4 or 5 lakhs annually on account of this measure, may I know the total additional cost to the Travancore public on account of this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): As I said, the duty proposed to be levied per box containing 40 matches is about three cash, so that, naturally, the price of such a match box will be raised by three cash.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Is the member in a position to give us at least an approximate idea of the additional cost, to the people of Travancore as a whole, on account of this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : All that I can now say is that every buyer of a match box containing 40 matches will have to pay three cash more on each box that he buys. Definite statistics, as to the total number of match boxes consumed in the State in a year, are not available.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know whether match-making is not a profitable cottage industry and whether the proposed measure will not stifle that useful industry?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It will be seen from the British Indian Enactment—I suppose members have read it—that no special concession is made in regard to the so-called cottage industry in match-making, Those who have followed the debate on this measure in the British Indian Legislative Assembly will have noticed also the special reason that was urged by the Honourable the Finance Member for not giving any concession for the cottage industry. Perhaps I may read the relevant portion from the speech of the Honourable the Finance Member:—

> "The Bill will provide for no concession in favour of the so-called 'cottage industry' which really means nothing more than the dipping in chemical mixtures of splints made in factories and the pasting of paper wrappers and of strips carrying other chemical mixtures on boxes made from veneers made in factories. Any such concession would make evasion of the duty and an artificial attack on the position of regular match factories materially easy and we are justified in allowing this consideration to prevail by the fact that the Tariff Board, in paragraph 134 of their Report regarding the grant of protection to the match industry, definitely advised against any special measures which would have the effect of encouraging match-making as a 'cottage industry' because it was not suitable for such operations both on economic grounds and because of the dangerously inflammable nature of the materials used."

In this view, this Bill too does not make provision for any special concession to the cottage industry.

MR. E. V. KRISHMA PILLAI (*Pattanamtitta*) : Is not match-making now carried on in Travancore as a cottage industry?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I accept the information offered by the member; none the less, for the reasons advanced by the Honourable the Finance Member to the Government of India, which are quite applicable here also, I am not prepared to agree to any special concession being given to the cottage industry.

There is also one other fact which I may refer to in this connection. Although matches are manufactured in Travancore, it seems that there is a partiality on the part of our people to use British Indian and foreign matches, and most of our matches are exported to British India.

MR. T. K. ALEXANDER (*Kunnatnad I*): May I know the number of match factories in Travancore?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not at that just now.

Since our matches are mostly exported and our people use mostly matches made outside Travancore, whether we impose this excise duty or not, our people will be practically paying an equivalent duty on the matches they consume.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether, in that case, we would not be encouraging a local industry if we do not impose this duty?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is a matter of opinion; I do not think that local industry will be helped by our not imposing the duty, because it is foreign matches that are mostly used locally. Anyhow our people will not be benefited by our not having this duty. Further, as I said, the paramount consideration for the introduction of this Bill is the need to co-operate with the British Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In British India, they have imposed a duty on sugar; are we going to have it here?

PRESIDENT: That is not now before the House. We have not burnt sugar yet. (*Laughter.*)

MR. A. THANU PILLAI (*Trivandrum-Rural*): Do we *make* more matches or *consume* more?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We have not got definite statistics in the matter; so far as I have been able to understand, we *consume* more matches than we are *making*. Further, as I said, locally made matches are exported largely and it is foreign matches that are largely used here.

One Honourable member asked me whether any information was available about the number of match factories in Travancore. Although reliable statistics are not available, I may say that there are four factories which make matches on a large scale, and about 2 lakhs of grosses of match boxes were made in Travancore in 1108.

MR. A. THANU PILLAI (*Trivandrum-Rural*): With reference to the statement by the Law Member about the need for co-operation with the British Government, may I know whether the Government of

[Mr. A. Thanu Pillai.]

India merely invited our Government (*after* imposing the duty there) to co-operate, or whether they consulted the Travancore Government *before* deciding upon this measure?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They have been in correspondence with the Travancore Government on this matter even before the Bill was introduced in British India.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether the Government have in view any specific articles, now that they have introduced the expression 'and other articles' in the title of the Bill?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No.

PRESIDENT: The House can deal with that when we come to that portion of the Bill after accepting the general principles of the Bill.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether the corresponding British Indian Enactment is confined to matches or relates to other articles also?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is confined to matches only.

In the circumstances explained, I hope that the House will accept the principle of the Bill.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I oppose the Bill; and in so doing, I may say at the outset that I feel rather diffident. Nevertheless, I feel confident about my arguments against the Bill.

The most important reason advanced by the Law Member in favour of the introduction of this measure is, if I have understood him correctly, co-operation with the British Government. Therefore, if any one were to say that he opposes this measure, the irresistible inference would be that it is sheer absence of co-operation (on his part) with the British Government. Sir, to my mind, the Law Member rests his Bill on a very wrong issue. I have always understood, Sir, that a Bill is introduced in our Legislature with the definite purpose of subserving the interests of the subjects of His Gracious Highness the Maha Raja for which ostensible and only object the Legislature exists. Now therefore the question is whether this Bill subserves the interests of the people. Sir, I refuse to believe it is so. On the other hand, it is distinctly against public interests. In these days of economic depression, it hits hard the poor section of the people. In reply to an interruption, the Law Member stated that the total amount collected by way of excise duty on matches would be distributed on the population basis. Sir, 90 per cent. of the people are poor. The Law Member admits that the distribution is to be made on the basis of population. But it is the poor people, who form the bulk of the population, that are going to be hit hard by this measure. Sir, no one can live without matches. Even the poorest man, who has to live without a morsel of

food for a day or two, requires matches to light his *beedi* or cigarette in order to get the satisfaction of hunger in that kind of self-deception. I am against this Bill, firstly, because it hits hard the poorest among the people.

Secondly, in regard to this question of co-operation, I do not believe that there is any real force in that argument. There does not seem to be any danger or catastrophe now in British India. They do not seem to stand in need of our valiant co-operation. In fact, I do not think that they really would have demanded our co-operation. They would have stated merely, 'We are going to impose an excise duty on matches. Why not you also do it?' Perhaps in British India there may be need for additional revenue. But, so far as we are concerned, is this the proper time? I ask the Law Member whether any member, with any sense of responsibility, will now come forward with a measure of this kind. Is it proper on the part of Government to ask this House to give its assent to a measure of this kind now? There is no scope or possibility whatsoever of any demand for co-operation with the British Government. Perhaps the Law Member may fall back upon so many precedents or the so-called convention, whether it is healthy or not, that whatever measure is introduced in British India *ipso facto* it should be copied here also. I, for one, refuse to accept it. There may be certain justifying circumstances which may warrant the introduction of the measure in British India. But that is no reason why the Travancore Government should immediately think of imitating what has been taking place in British India. It is true that many Bills have been introduced here whether they were warranted by the conditions obtaining here or not, but only in conformity with the precedents. Let us at least take this opportunity to raise the dignity of the House by taking exception to a measure which is sought to be introduced here *because* it has been introduced in British India. I say frankly and bluntly that, even if it is a case of co-operation with the British Government, we are not in need of such Bills. We wish to give them as much help as possible. We wish to render them help or co-operation. But it is really pitiable that this Government thought it fit to introduce an excise duty on matches at this juncture. The Law Member himself seems to have appreciated the raising of the duty on matches imported into British India. In order that our own industry might thrive, let us take the advantage of allowing our own local industry to go scot-free from any such excise duty.

There is absolutely no necessity for any co-operation whatsoever from this Government. I may say that, if there be any opposition in this House to the measure, if the House were to record its opposition to this Bill, it is not going to mean absence of any idea of co-operation with the British Government. That will be a wrong view to take. It is not at all the object with which the Bill is being brought. It is mere imitation. Let us, at least from this moment, spurn the so-called convention of assimilating whatever is done in British India. Let us, from this moment, take a new turn and cease from introducing any

[Mr. M. Sivatanu Pillai.]

measure which has been passed in British India if there is no warrant for it here, particularly in these days of distress and more particularly as the Bill indirectly hits the poor people very hard.

With those words, I submit that we should not accept the terrible responsibility of imposing duties on such small local industries as the manufacture of matches, which are only just beginning to thrive.

MR. K. R. ELENKATH (*Kalkulam I*) : I also rise to oppose the principle of the Bill for reasons more than one. I do not want to go back to the reasons attaching undue importance to co-operation with the British Government which has been sufficiently dealt with by my friend Mr. Sivatanu Pillai. Sir, whenever our Government comes forward with the argument of co-operation with some one, they very often forget that co-operation should be to the advantage of this State. Sir, it was in the last session of the Assembly, if I remember correct, that one of the official members told us that our Government approached the British Government on the question of the increase in the import duty on cocoanuts and they were unable to give any relief as yet ; and if again I remember correct, the Dewan, in reply to the address presented by the Alleppey Chamber of Commerce, said that unfortunately and perhaps because we are farthest south in India the British Government has, it seems, failed to hear the voice from this far-off corner. Sir, in co-operation we should always see that our advantage is not at stake or that at least an equal advantage is maintained for our State with the British Government.

Sir, the Law Member told us that it is approximately three cash per head of population in the State that the people will have to lose on this account. I would assure him that it is not exactly three cash but nearly eight cash that one will have to lose ; for even at the present moment, when the match merchant has had the distant scent of the introduction of such a Bill, he has raised the cost of the match boxes. So, it is not exactly the amount of duty that is imposed that affects the price, but the avaricious tendency of the merchants to take advantage of the measure also goes a long way in fixing the price to the detriment of the people in general.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will the member kindly state the price of matches at present?

MR. K. R. ELENKATH (*Kalkulam I*) : Different prices prevail in different markets. In some villages a match box is available for four cash. But there are places where we can get it only for 12 cash. On these grounds, Sir, I strongly oppose the motion.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, I wish to oppose the introduction of the Bill on a ground which, I think, will appeal to the whole House. I do not wish to address the House first, on the financial aspect of the question. But I do wish to address the House on a question of self-respect, before they think of considering any other

question. To bring home the point, may I, Sir, with your permission draw the attention of the House to clause 20 which, in my opinion,—I do not wish to characterise it very strongly —is highly objectionable. Clause 20 reads thus :—

> "20 (1) It shall be competent to Our Government to levy a duty of excise on any articles (not being matches or sugar) that may be notified in that behalf by Our Government in Our Government Gazette, and such duty shall be levied at such rates as may from time to time be prescribed by Our Government.
>
> (2) Our Government may by notification in Our Government Gazette declare that the provisions of this Regulation relating to the duty on matches, shall, with such modifications and alterations as they may consider necessary or desirable to adapt them to the circumstances, be applicable in regard to like matters in respect of the duty levied or leviable under the provisions of sub-section (1).

Sir, in this clause, the mentality behind these words becomes obvious when we see that the clause is absent in the Bill that has been introduced in British India. Sir, it is 'new despotism' with a vengeance. I am afraid that the Law Member may bring a Regulation to-morrow to say that by a notification in the Gazette all legislation can be passed and in this House we need not be worried about it. That seems to be the implication of that clause 20. It has to be very seriously considered. What prompted the Law Member to put in this clause ? Did he think that this House will swallow it ? Did he expect that this House will allow him to play ducks and drakes with duties and tariffs on the articles produced in this country ? That seems to be the idea, as can be seen from the careless, negligent and irresponsible way in which the question has been dealt with. I wish to enter my emphatic protest against the attempt of the Law Member to minimise the powers of this House and to arrogate to Government the powers which we have been legitimately given by our Sovereign by virtue of a Regulation. He wants to arrogate those powers by the rule-making powers given to Government. Sir, that is highly objectionable and I wish to point out to the House that they should throw out this Bill on that ground ; and, unless the Law Member comes with a Bill bereft of that clause, we are not prepared to look into it or even touch it with a pair of tongs.

Sir, with regard to the principle of the Bill, it is very idle to discuss it on assumptions and not on facts. This is an important measure. It is an excise duty that is sought to be imposed on matches. We may be, under the existing convention, compelled to introduce it whether it may be advantageous to us or disadvantageous to us. We are not given any information in the speech of the Law Member or in the short passage of the statement of objects and reasons. We are not given any useful information as to our position in this matter. We do not know the condition of the match industry here. The Law Member says he is not aware of the total consumption of matches in the State. He is not in a position to say definitely whether the consumption in the State is more than the production of matches in the State. He is not prepared to say whether the Government pressed home to the

[Mr. K. Kunjukrishna Pillai.]

Government of India, when this question was introduced, the possible loss that might occur if our production is greater than our consumption. Are we going to lose by allowing to pool the taxes that we get on matches or are we going to gain? We have absolutely no information. We are supplied with scanty materials or no material. The Bill is brought and the important reason that is stated is that in British India it has been introduced and it seems necessary and expedient to introduce it here also. How it is necessary and how it is expedient must be explained. We cannot give our consent otherwise, however necessary it may be. We cannot give it on such scanty information, on such scanty kowledge of facts. When we are dealing with legislation and when we are asked to give our consent to a piece of legislation, we are entitled, Sir, to know the full facts about the question. Before we look into this Bill or accept the principle underlying this Bill, we want to know where we stand, whether we stand to lose or whether we are going to gain by the pooling of the resources. Is the pooling only with regard to the duty on matches or does the pooling extend to all resources of the whole of India by way of excise duty? Are we to share the resources of all excise duties on a population basis by pooling? That may be advantageous. As it is, we have no definite information on which we can proceed to give our assent to the Bill.

The Law Member has elaborately set out one ground for the acceptance of the Bill and that is our duty to co-operate with British India in particular and with the British Empire in general. Well, they are all good sentiments which many may not dissent from but they are, so far as I am concerned, quite irrelevant for serious consideration of a piece of legislation which is a matter that has to be considered on the merits of it strictly, scientifically and from a financial and economic point of view. What is the financial implication of this? Is this excise duty such as can be levied on the article? Will the industry or the manufacture of matches in this State bear this? What will be the implication of imposing this duty and getting our match industry killed? Where will be the markets for our matches and our profit? These questions have got to be considered and answered. But information has not been given on these questions.

On the ground that the Law Member has inroduced clause 20 which is an affront to the very existence of the Legislature and of the powers conferred upon it by the Sovereign to legislate and which is an attempt to arrogate to Government by rule-making, by a dubious method, the powers that have been conferred to us by our Sovereign by means of a Regulation, and on the ground of scanty information on important topics, I wish that the Bill should not be introduced now, but it may be brought up at a later period. If it is very necessary, it may be brought in the next session after giving us greater details about the figures of consumption and the possible implication of this duty on the industry and on the country. On these grounds, I oppose the introduction of this Bill.

The House adjourned for lunch at 1 P. M. and re-assembled at 1-45 P. M.

OATH OF OFFICE.

Mr. S. Thiraviam Nadar was sworn in.

THE TRAVANCORE (MATCHES AND OTHER ARTICLES) EXCISE DUTY BILL. - (contd.)

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Sir, we are at this stage considering the principle underlying this Bill. The Bill, as it is now presented to the House, relates to matches and a group of other nebulous articles about which the House knows nothing. Clause 20 and a number of other sections make provision (*louder, please*) for imposing and realising an excise duty in regard to any article on which the Government may subsequently think to impose the same. To put it shortly, this amounts to handing a blank cheque to the Government, that is, to the executive, for the purpose of legislating for the State. Such a *carte blanche*, however much we may trust the executive section of the Government, (*louder please*) I am not prepared to confide to the Government. No doubt, there is a tendency, even in England at present, to frame what is known as "skeleton legislation" and to leave it to the executive to fill it in. But this Bill, goes even beyond such steps and as such I certainly oppose that portion of the Bill which seeks to hug in unspecified and non-descript things. The co-operation which the Paramount Power expects from this Government certainly does not cover this branch of the Bill for the learned Law Member himself admitted that the British Indian Act upon this subject does not contain any parallel provision. That is another argument why this portion of the Bill should not have been presented to this House.

Another portion of the Bill, which, I fear, I have to object to, is the provision in Clause 3, where this Bill when passed into law, is made to recoil retrospectively, to the first of April 1934. It is rather an unworkable proposition for the excise duty that is now sought to be imposed is in respect of the manufacture and issue of matches under this measure. Both these things must have taken place already before the law saw the light. We are today on the 21st of May 1934. Nearly seven weeks have gone by since the date the Law Member keeps in view as the date for the operation of this Bill. That is another aspect.

Yet another aspect, though it may be covered by the British Indian Act upon the subject, is presented by other Sections, that is to say, in case of default in the payment of excise duty that is contemplated under this measure, the Excise authorities themselves may realise four times the amount of the duty that is normally payable. In addition to that if a conviction takes place before a Magistrate, it is further provided that, the Magistrate is at liberty to impose four times the amount of the duty as a fine. In the result, eight times the duty may be realised from any defaulter under this Regulation. Whatever be the merits of the provision as regards penalty, as regards what we realised under

[Mr. P. K. Narayana Pillai.]

revenue processes, I fear the provision is rather exorbitant. Normally speaking, as in the case of land revenue, if default takes place, what the defaulter is asked to pay is the defaulted amount with an interest upon the same. That is what actually takes place in dealings between people in this State as elsewhere. Therefore, I can find warrant only to realise the defaulted amount with 12 per cent. interest irrespective of any penalty that may be realised by the Magistrate. Anything more than that sounds somewhat barbarous in my ears. These are some of the points which, I feel, I should object to in this measure.

Learned members of this House also had to say a good deal with reference to the expediency or the necessity of imposing an excise duty even upon matches. As to that, no doubt, the statement of objects and reasons, appended to the Bill by the learned Law Member, is quite concise. But from that we may more or less spell out the underlying idea. The comity and seemliness demanded from us in the nature of the inter-relations subsisting between the Paramount Power and this State would certainly justify an enactment of this description as regards matches. Not only did British India adopt this measure, but a number of other Indian Princes and ruling authorities in India have followed suit. In such circumstances, however much it may affect a growing industry, though our industry in matches on anything like large-scale production being too limited is not likely to be so much affected, we have to adopt the Indian Act. Sir, I understand that there are some ventures in the shape of cottage industries in regard to this match manufacture which may suffer to some extent. However, after taking into consideration all the circumstances of the case and as the Government has already gone forward in the matter when required to co-operate with the British Indian Government on the subject, I am for supporting the Bill to the extent of the levy of the excise duty contemplated on matches; but beyond that, I fear, I cannot go. Also, as I submitted, the provisions require re-consideration in finally adopting the Bill as a legislative enactment. These are all the observations I have to make with regard to this Bill.

MR. S. J. NAIR (*Nedumangad*): Sir, the Law Member, in inroducing this measure, has tried to make us believe that the principle involved is very simple. But, on the other hand, our opinion is that the Bill is not so simple but it is too subtle and at the same time very dangerous to the interests of the State and its people. From the Statement of Objects and Reasons in the Bill, it is found that the main purpose of this Bill is to impose duty on matches made in Travancore. Sir, in this connection, I wish to draw your attention and the attention of this House that the match-manufacturing industry in this State exists in two different shapes, *viz.*, in the shape of cottage industry conducted by individuals and also on a factory system. So far as the factory system is concerned, there is no serious objection in taxing the matches made and exported from the factories; but so far as

the matches made from cottage industry is concerned, it shall not be taxed at all because it is only in an infant stage and there is much possibility, so far as this State is concerned, to develop the match industry as a cottage industry on a very big scale and to solve the economic problem of the State to a very great extent.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether he can suggest any solution to discriminate between the cottage-made matches and the factory-made matches?

MR. S. J. NAIR (*Nedumangad*) : Yes, we can. My humble submission is that no provision is made in this Bill so far as the cottage-made matches are concerned. For this a separate provision shall be made that the match industry as a cottage industry shall be left out of taxation.

From the second paragraph of the Statement of Objects and Reasons, I am afraid that the Law Member has attempted to usurp the power of this House to a great extent. If the Law Member unconditionally undertakes to delete some portions from the Bill, *viz.*, the provision with regard to "other articles" in the heading of the Bill and Clause 20 and also Clause 3, namely, the provision that gives retrospective effect to this Bill when passed into Regulation, this Bill shall be permitted to be introduced. There is one thing more. From Clause 7 the portion "the bringing of matches or other articles into Travancore from the territory of any specified Prince or Chief in India" and such other portions shall be deleted. If the Law Member undertakes that he will do the needful in the matter, I am for supporting the Bill.

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): Sir, I rise to support the Bill. I associate myself with some of the members who have already spoken, so far as their complaints against some of the provisions of the Bill are concerned. I am certainly against giving retrospective effect to any Statute. I am definitely against vesting any power in Government to take away by the left hand what has been given by the right hand. (*Hear, hear*). I am speaking with reference to this subject. Sir, I have said on previous occasions as well that there is nothing so mischievous as the rule-making power of Government. Even in England, that is very greatly disliked. I may cite one instance. There is the Revenue Recovery Regulation according to which arrears of tax are realised in this State. But the methods to be followed are laid down in the Statute itself. The Bill now allows the Revenue Recovery Regulation to be requisitioned for the purpose of collecting the arrears under this Bill when it becomes law, while the safeguards are not given.

I may also express my emphatic opinion that the words "and other articles" which come after 'matches' are not calculated to encourage any industry or even encourage a healthy life in this State. Because, it may be that a Head of the Department may advise Government to pass rules on a particular subject. And the Travancore Government,

[Mr. T. K. Velu Pillai.]

Sir, is an over-worked institution, so that, if on the strength of an opinion expressed by the Head of the Department which Government adopts in good faith and if Government were to pass the rules saying that this thing and that thing may be done, life, I deliberately say, will not be worth living. Hence, I oppose this and similar provisions.

But I support the principle of the Bill for what appears to me to be a very sound reason. There is the word co-operation with British Government. To me, Sir, there is no red rag in co-operation with the British Government We are co-operating in a number of things. In matters of economic policy, in matters of fiscal policy, Travancore is not a sequestered place where nothing from outside will be imported. Things, ideas, principles of politics and economics are allowed to come into Travancore from other countries.

My friend Mr. Kunjukrishna Pillai says they come duty free. That is not before the House and I do not propose to answer that question. I wish, Sir, that if any gentlemen wants to put me a question I am prepared to answer him. He may ask any number of questions, but I do not like to be interrupted in my speech though I wish to answer every one of the questions put here.

MR. K. R. ELENKATH (*Kalkulam I*): Sir, I rise to a point of order. May I know whether on the floor of the House there is any question put by Mr. Kunjukrishna Pillai to the Deputy President?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): My exposition will be clear. I said if any member *had* a question to ask, I will answer.

PRESIDENT: Including asides? (*Laughter*).

MR. T. K. VELU PILLAI (*Trivandrum- Urban*): I shall not certainly take notice of an aside remark. Sir, excuse me when I say, when my ears are functioning, I cannot be deaf to what is taking place here. Nothing more about that.

Let us examine this question. In this Assembly, Sir, it is generally the Law member who moves Bills and pilots them through this House. From a legal stand-point much talent is brought to bear upon this question. But with regard to the imposition of duties on matches and such other things, I would say, ordinarily the Excise Commissioner or the Director of Industries should come forward and say these are facts. Probably they may come forward. Until then, we ought to suspend our judgment in regard to some aspects of the Bill. But there are some incontrovertible truths. Where is the harm in co-operating with British Government in economic matters? I cannot altogether forget the little history that I have learnt during these years. Co-operation means reciprocity. A unilateral act will never be called co-operation. It is a matter of the dictionary meaning of the word. In India, I remember, during the time of Lord Lytton, there were various policies with regard to customs duties. There was so much of smuggling in North and Central India. So much so Lord Lytton's

policy was to minimise the evils, to safeguard the revenue and to compensate the Indian States if they thought that there were losses on account of such an enlightened policy. Sir, we are on the eve of great constitutional changes.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know from the member whether our State has derived any advantage on the arbitration question of petrol by the Imperial Government?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): Yes, we are having various advantages. I think, even on that petrol question, much benefit has resulted to our country. And I do not propose to invite myself to answer that question further. I would once more ask my friends to wait for the completion of my speech and then put questions. We all talk of common Indian interests and common Imperial interests. I understand Federation to mean a union of division of functions; and at the same time, as I am accustomed to say, in a compromise between the centripetal and centrifugal forces, you cannot have any kind of federation, either in politics or economics, without some kind of co-operation of this State.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the member has accepted federation?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): I never said that. We are on the eve of federation. That explains my position. I may mention this also, that everybody knows that the Central Government must exercise certain functions and the Local Governments others. That is, from the bundle of rights, certain twigs are taken away to the Central Government for functioning and some to the State Government. In matters of economic policy, Travancore is only a speck in the immensity of the Indian Empire. However much safeguarding there might be, whatever might be the efforts to protect ourselves in finding out means, it is certain that we cannot altogether escape the results of any economic policy which is adopted in British India. So far as these matches are concerned, I am at a loss to understand how a difference of opinion is possible. It is nobody's case, Sir, that Travancore makes all the matches that it requires. It may be an infant industry. In the fulness of time, under proper protective system, it might thrive and prosper. But when you take into consideration the actual condition, I am justified to say, in spite of the omission of the Law Member to give figures, which has been complained of by my friends, in spite of all that, we are not producing enough matches for our consumption.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, on what basis the member makes that statement?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): I am a native of this country. I am living in this country like my friends. I wish it to be understood that my opinions are based on my own knowledge of men and matters in this country.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : May I know whether the member has any idea as to the quantity of matches produced in this country ?

MR. T. K. VELU PILLAI (*Trivandrum—Urban*) : It is none of my business. Any man who formulates opinions in this House must study the facts for himself. I shall not therefore do myself the injustice of doing something which will make my friends indulge in hasty questions. Therefore it is not for me to give this information. But this I might say deliberately that we are not making enough matches, so that if matches have to be imported from British India, they will assume a very difficult position indeed. Because these people will try to raise the price of the matches that we make here. So much has been said about the consumer. I have very great sympathy with the man who smokes the *beedi*. I have very great sympathy, in fact, with all poor people as other friends have. They will not be benefited. For the desire for self is an ordinary feeling in all barters. No man in this country is going to give up the chance of making his profit. The consumer will be hard hit. Anyhow the argument that the consumers will benefit does not commend itself to me. There is difference of opinion. But that is a settled conviction.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know the approximate proportion of benefit that will be gained by the consumers ?

MR. T. K. VELU PILLAI (*Trivandrum-Urban*) : All these questions I have already answered. I shall not be justified in taking the time of the House by giving answers to all hypothetical questions. But I am sure my friend———

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether the question put by Mr. Elenkath is a hypothetical one ?

MR. T. K. VELU PILLAI (*Trivandrum Urban*) : I may assure my friend through you, Sir, that I have looked into this question. I am learning this question for some time. I do not think that mine is the last word on the subject. This is my information and I do not give other people's point of view. True, my answer may be deficient. But I am submitting, Sir, that the argument from the consumer's point of view cannot commend itself to the House : the consumer anyhow will be left alone. I want to mention one or two instances.

There is the co-operation of departments, like the Telegraphs. There are rules for appointment of foreigners. We want to shape the political policy in India ; that is the aspiration of politicians in keeping with the general drift of opinion in British India and any other Native State. So that, to say that nothing shall be imported in this country is not fair. We are getting various appointments. By pooling the resources of British India, when Federation comes it should take its share.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know what were the amounts that were left as a result of pooling the resources of British India ?

MR. T. K. VELU PILLAI (*Trivandrum-Urban*) : I am not here to be cross-examined. I am only giving my own opinion on facts presented to my mind.

PRESIDENT : The members should not go into minute details of statistics. Such points may very well be elicited from Government members.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*) : So that, I should now congratulate the Law member, apart from condemning him in very strong language. I am happy that I am in a position to congratulate him. For I support his judgment with reasons which are mine. He has in a straightforward manner said that the main purpose of the Bill is to impose an excise duty, because it is necessary and expedient. 'Necessary and expedient' may be due to various causes. I support it on the ground of economic policy. However much we like, we shall not be able to extricate ourselves from the results of the economic policy pursued in British India. So that, Sir, if the House is satisfied that protection or no protection, free trade or no free trade, if the consumer is not going to be benefited and I would take into consideration the fact that large manufactories are owned not by the poor but by the rich, I do not see the object in opposing this measure. I am not of that cast of mind. Sir, I concede it to be in the interests of the State. I concede it is impossible to have an independent economic policy in this Indian State. I also take it, Sir, that several States who have joined can rely upon the Finance Member's statement in the Legislative Assembly, a document which may be relied upon. Until the contrary is shown, I am going to take that view. I rely upon facts that very many States have joined. We are not to presume that those are unpatriotic. They cannot adopt an independent policy.

Therefore seeing that the country is not going to be jeopardised by the enactment of the proposed measure, I heartily support the motion.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : Sir, the Law Member, in his Statement of Object and Reasons, has stated that the main purpose of the Bill now before this Chamber is to impose an excise duty on matches made in Travancore. I should say that the provisions contained in Clause 20 of this Bill do not commend themselves to me. The imposition of excise duty is a very important matter, and whenever an excise duty has to be newly imposed in respect of any particular article, it is necessary that both the Chambers should know and their opinion should be consulted before any action is taken by Government in that direction. I think that, so far as the provisions relating to sugar and other articles in Clause 20 are concerned, this House even at this stage must object to those provisions and should not assent to them.

The Bill before the House in that case will merely relate to matches; and so far as matches are concerned, I do not see any serious objection to our assenting to the principles involved in the Bill, especially because co-operation with the British Government is necessary in

[Rao Sahib S. Parameswara Aiyer]

this matter; and I know that several States in British India have already agreed to the imposition of a similar duty. If, therefore, the Law Member, on behalf of Government, will assure this House that the provisions relating to all articles other than matches will be deleted, I should like the House to raise no objection to the Bill. That is my opinion, Sir.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, in considering this Bill, the House has to make up its mind on two questions, *viz.*, whether it is advantageous or not to follow the example of the Government of India and introduce an excise duty on matches: and if it is advantageous, whether or not the Travancore Government should agree to join the pool as suggested by the Government of India and get a share of the revenue on the population basis. Regarding the first question, Sir, to me it seems that the proper thing to do is that we should follow the example of the Government of India and impose an excise duty on matches. The reasons I have in my mind are various. My learned friend, the Law Member, has pointed out the necessity for the co-operation of Travancore with British India. Sir, those who have read the speeches of the Honourable the Finance Member of the Government of India in the Legislative Assembly would feel convinced that the main object of the Government of India in introducing excise duties on matches and sugar was to raise revenue. The Government of India want to increase their revenue and they have decided upon the imposition of these excise duties. And the Honourable the Finance Member also said in his speech that the Government of India would look up to the States to co-operate with them to enable them to realise the revenue which they hoped to realise; and he also said that if any State did not agree to the imposition of the duty on matches manufactured within its borders, he would prohibit the import of such matches into British India. Sir, when the Government of India have introduced this duty with a view to raise revenue to get over their financial difficulties, is it not desirable that Travancore, which looks up to the Government of India for various concessions in important matters, should agree to co-operate with them? By doing so, do we not also stand to gain? Have we not been promised a share of this revenue? Further, if any State did not agree to levy duty, the chances are that some of the match manufacturing companies in British India will shift their scene of operations to the State. Well, you may probably say that it is so much the better for the State, but it is so much the worse for British India. The Finance Member hopes to collect three and a half crores of revenue; and if the States refuse to join in this business, most of the match manufacturing companies will transfer their activities to the various States and the Finance Member can never hope to get the revenue he has estimated. Apart from the revenue that we may get, is it not advisable for us to extend our hand of co-operation to the Government of India and help them to realise the revenue which they to realise?

From the consumer's point of view, it has been pointed out by some member that once you levy this duty the consumer has likely to pay a considerably higher price for matches than what he now pays. That may be so. Even if we do not levy the duty and if the rest of India does it, I am afraid, the consumer here will have to pay the same price which the consumer outside Travancore pays.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member whether this difficulty will arise if Travancore is able to produce sufficient number of matches for its use ?

PRESIDENT : The member should not indulge in hypothetical questions. The member putting the questions should confront the speaker with a definite statement of facts. There is no use in putting hypothetical questions.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : When persons beyond the frontiers of Travancore have to pay, say, eight cash for a box of matches, is it likely that manufacturers and merchants within the State will sell their matches at a lower price ? The merchants and manufacturers would certainly try to make as much profit as they can unless the Government interfere and prohibit the raising of the price. They will charge the same price in Travancore as that prevailing outside, so that the consumer is not going to be benefited by our refusing to levy duty on our matches. After all, Sir, there are only two match manufacturing concerns in this State, of which one, I am afraid, is in a moribund condition, I mean the one at Tenmalai which is having a precarious existence. At present, there is only one factory working satisfactorily.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether the condition of these producers will be improved by this Regulation ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Even if you do not pass this Bill, their condition is not going to improve. Well, Sir, those who have used matches and especially those who are smokers know the superiority of the imported matches No-body here cares to buy the matches made in Travancore. In this humid climate, they do not keep for more than a day or two. It may be due to the defect in the process of manufacture. The people here generally buy only the imported matches. Most of the matches manufactured in Travancore are sent out and we depend upon foreign matches for our own consumption. Even if you do not levy duty, the manufacturers and merchants will certainly raise the price and this will only go to swell their pockets. The consumer will not be benefited, nor will the Government get any revenue.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether the Government connot impose excise duty and collect all the excise duty to themselves ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I am coming to that point. The question is, should we or hould we not impose the excise duty ? The Government of India have

[Rao Sahib Dr. N. Kunjan Pillai]

done it. Other Indian States have done it. Let us also fall in line with them. I have so far pointed out that not only from the standpoint of co-operation with Government of India which is very essential at present but also from the point of view of the consumer, who is not going to be benefited by not levying the duty in Travancore and from the point of view of Government, I think it desirable that we should fall in line with the Government of India and impose excise duty on matches. If we do not do it, what will happen is that, as Sir George Schuster said, some of the manufacturing companies in British India will come to Travancore. The Government of India will then lose the revenue. They will therefore take steps to prevent the import of our matches into British India.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then will we not get better matches in this country?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, we may. But then the Government of India will not look upon your action with any favour. And as I have already said, this is not the time when we can afford to antagonise the Government of India. We are talking of Federation and other constitutional changes. There exist our Interportal Trade Convention and our commitments in the Cochin Harbour Scheme. We should certainly retain the good will and sympathy of the Government of India; and from this point of view, it is very essential that we should follow the example of that Government.

Regarding the revenue that may be derived from this excise duty, I have got some figures, but I must say that they are not very accurate. If we levy the duty, join the common pool and get our share on the population basis, we are likely to get about 2 to 3 lakhs of rupees. My friend Mr. Parameswaran Pillai said it is 4 to 5 lakhs. If we ourselves keep all the duty we may collect, our revenue will depend on the production here and that varies from year to year. In 1106, we would have got probably about Rs. 4,90,000, in 1107 about 7 lakhs; and in 1108, only Rs. 2,93,000. Revenue would vary according to production, and production is in proportion to demand. In 1106, 1107 and 1108, there have been wide variations in production. If we take our share from the common pool, we may get about 2·8 lakhs; if we do not join the pool, we may probably get 2.9 lakhs on the output of matches in Travancore in 1108. But, in British India, the match industry may develop considerably and their receipts from duty may increase. There is not much chance for the development of the industry here because we have no big capitalists. Even the two factories we now have have been financed mostly by British Indian capitalists. The industry is likely to develop more rapidly in British India than here and, in that case, it is more advantageous for us to join the pool.

Just one word, Sir, about the expression "and such other articles" in the Bill. I may say on behalf of Government that Government

are agreeable to delete that portion and confine the enactment to matches alone as in British India.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Is the member in a position to inform the House whether, under the terms of Agreement with the Government of India, they have the power to prohibit the importation of Travancore matches into British India?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): That is a very complicated question. I do not know whether I should now enter into a discussion on it.

MR. A. THANU PILLAI (*Trivandrum-Rural*): But it has been stated, Sir, that a statement was made, by the Finance Member, in the Indian Assembly, that, if any Indian State refused to co-operate with them in this matter, they would prohibit the import, of the matches made in that State, into British India. I do not want the Chief Secretary to commit the Government to any position. I thought the wording of my question was guarded enough.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*). Sir, the member's question, perhaps, needs reference to the Law Officers of Government for an expression of opinion thereon. So far as I can see, under the Interportal Trade Convention, the Government of India cannot prohibit the import of our matches into British India. But, imagine what will happen if they scrap the Interportal Trade Convention altogether. Then they can prohibit the export of any article from Travancore to British India and probably we may do the same with the articles produced in British India. Thus there may ensue a tariff war between the two Governments. We have to bear in mind that our trade is mostly with British India and what we desire is not the cancellation, but the revision on an equitable basis, of the Trade Convention.

The question that the Bill be read in the Assembly was then put to vote and carried.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

A poll was taken and the House divided as follows:

AYES—49.

1	Mr. N. Abdur Rahiman Sahib	12	Mr. N. John Joseph
2	,, K. C. Abraham	13	,, K. C. Karunakaran
3	,, T. K. Alexander	14	,, T. T. Kesavan Sastri
4	,, V. T. Chacko	15	,, K. M. Krishnan
5	,, S. Chattanatha Karayalar	16	,, K. P. Krishna Menon
6	,, E. H. Francis	17	,, Pottayil S. Krishna Panickar
7	,, Antony George	18	,, E. V. Krishna Pillai
8	,, K. George	19	,, T. Krishna Pillai
9	,, M. Mahomed Haneef	20	,, Rao Sahib Dr. N. Kunjan Pillai
10	,, S. J. Nair	21	,, C. V. Kunju Raman
11	,, T. S. Jayantan Nambootiri	22	,, E. K. Kunjuraman

[Mr. K. Kunjukrishna Pillai.]

23	Mr. K. M. Kuriakose	37	Mr. Kayalam Paramesvaran Pillai
24	„ C. O. Madhavan	38	„ V. Ramakrishna Panickar
25	„ K. Madhavan	39	„ R. Raman Pillai
26	„ M. K. Madhavan Pillai	40	Rao Bahadur N. Ramanuja Aiyangar
27	„ K. Mahomed	41	„ K. Sankaran
28	„ K. A. Narayana Pillai	42	„ R. M. Statham
29	„ Pacode A. Narayana Pillai	43	„ P. K. Thomas
30	„ P. K. Narayana Pillai	44	„ T. C. Thommen
31	Srimati T. Narayani Amma	45	„ G. B. E. Truscott
32	Mr. G. Nilakantan	46	„ N. E. Varughese
33	„ R. Nilakanta Pillai	47	„ V. K. Velappan Nair.
34	„ Edavanatt S. Padmanabha Menon	48	„ T. P. Velayudhan Pillai.
35	„ N. K. Padmanabha Pillai	49	„ T. K. Velu Pillai
36	„ Rao Sahib S. Paramesvara Aiyar		

NOES—11.

1	Mr. P. Chidambaram Pillai	6	Mr. K. Kunjukrishna Pillai.
2	„ A. S. Damodaran Asan	7	„ M. N. Nair
3	„ A. Easwara Pillai (*Kottarakara*)	8	„ S. Nilakanta Pillai.
		9	„ M. Sivatanu Pillai
4	„ K. R. Elenkath.	10	„ A. Thanu Pillai.
5	„ N. K. Krishna Pillai.	11	„ S. Thiraviam Nadar

NEUTRALS—4.

1	Mr. A. Easwara Pillai (*Kalkulam II*)	3	Mr. Kainikkara M. Padmanabha Pillai.
2	„ K. Padmanabhan	4	„ Changanachery K. Paramesvaran Pillai

The motion was declared carried.

The Secretary then read the title of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I wish to move that the Bill be taken up for consideration at once. For that purpose, I request you, Sir, to suspend Standing Order No. 34, which requires that not less than 15 days should elapse, after the introduction of the Bill, before such a motion is made.

PRESIDENT: As requested by the Law Member, I suspend Standing Order No. 34.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I move that the Bill be taken up for consideration at once.

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I oppose it. I can certainly understand difference of opinion in regard to the need for this enactment. But, certainly, there cannot be the shadow of a doubt that this important measure cannot be hurried through like this. Many defects have already been pointed out in the Bill as it is. My honourable friend, Mr. P. K. Narayana Pillai pointed out how retrospective

effect is sought to be given to this measure. Various other defects also have been pointed out. We have not had sufficient time to look carefully into the various provisions of the Bill. It would be hazardous on the part of the House to take it up immediately after its introduction and pass it at once. I do not think reasons for such great urgency have been made out by the Law Member. Nobody can say that the Bill is devoid of defects. There is absolutely nothing to be lost by the Bill being referred to a Select Committee. If it is so urgent, the Select Committee may be asked to report within a few days. I therefore oppose the motion for the consideration of the Bill without its being referred to a Select Committee.

The motion, that the Bill be taken up for consideration at once was put to vote and lost.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I demand a poll.

PRESIDENT: I suppose it would be convenient for the members if I ask them to get up block by block, instead of the whole House simultaneously, so that they need not remain standing long for their turn.

Poll was first taken, block by block, but many did not rise up at all.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I am afraid, this unusual procedure has not been understood by many of my friends. I would suggest that we revert to the usual method and not have this distinction, even among those who vote *for* the motion.

PRESIDENT: All right I have no objection to the old practice being continued.

A poll was taken, and the House divided as follows;

AYES—39.

1 Mr. N. Abdur Rahiman Sahib
2 ,, K. C. Abraham
3 ,, T. K. Alexander
4 ,, V. T. Chacko
5 ,, S. Chattanatha Karayalar
6 ,, E. H. Francis
7 ,, Antony George
8 ,, K. George
9 ,, M. Mahomed Haneef
10 ,, S. J. Nair
11 ,, T. S. Jayantan Nambootiri
12 ,, N. John Joseph
13 ,, T. C. Joseph
14 ,, K. C. Karunakaran
15 ,, T. T. Kesavan Sastri
16 ,, K. M. Krishnan
17 ,, K. P. Krishna Menon
18 ,, E. V. Krishna Pillai
19 Rao Sahib Dr. N. Kunjan Pillai
20 Mr. C. V. Kunjuraman
21 Mr. E. K. Kunjuraman
22 ,, K. M. Kuriakose
23 ,, C. O. Madhavan
24 ,, K. Madhavan
25 ,, K. Mahomed
26 ,, P. K. Narayana Pillai
27 ,, G. Nilakantan
28 ,, R. Nilakanta Pillai
29 ,, N. K. Padmanabha Pillai
30 Rao Sahib S. Paramesvara Aiyar
31 Mr. Kayalam Paramesvaran Pillai
32 ,, V. Ramakrishna Panickar
33 ,, R. Raman Pillai
34 Rao Bahadur N. Ramanuja Aiyangar
35 Mr. K. Sankaran
36 ,, R. M. Statham
37 ,, P. K. Thomas
38 ,, T. C. Thommen
39 ,, G. B. E. Truscott

[President.]

NOES—22

1 Mr P. Chidambaram Pillai	14 Mr. Edavanatt S Padmanabha Menon
2 ,, A. S. Damodaran Asan	15 ,, Kainikkara M. Padmanabha Pillai
3 ,, K. R. Elenkath	16 ,, Changanachery K. Paramesvaran Pillai
4 ,, Pottayil S. Krishna Panickar	17 ,, M. Sivatanu Pillai.
5 ,, N. K. Krishna Pillai	18 ,, A. Thanu Pillai
6 ,, Puthupalli S. Krishna Pillai	19 ,, S. Thiraviam Nadar
7 ,, T. Krishna Pillai	20 ,, N. E. Varughese
8 ,, K. Kunjukrishna Pillai	21 ,, V. K. Velappan Nair
9 ,, M. N. Nair	22 ,, T. P. Velayudhan Pillai
10 ,, K. A. Narayana Pillai	
11 ,, Pacode A Narayana Pillai	
12 ,, S. Nilakanta Pillai	
13 ,, K. Padmanabhan	

NEUTRALS—5.

1 Mr. A. Easwara Pillai (*Kalkulam II*)	3 Mr. M. K. Madhavan Pillai
2 ,, A. Easwara Pillai (*Kottarakara*)	4 ,, Srimati T. Narayani Amma
	5 ,, T. K. Velu Pillai

The motion that the Bill be taken into consideration was declared carried.

Clauses 1 and 2.

PRESIDENT: The first amendment is to delete the expression "and other articles" in sub-clause (i). The expression occurs in several clauses, so that, if it is deleted here, the other amendments, to delete it from other parts of the Bill, would become consequential amendments We may, therefore, postpone the consideration of this amendment till all other amendments are disposed of.

The question that Clauses 1 and 2 do form part of the Bill was then put and carried.

The clauses were added to the Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The decision, to take up the Bill for consideration immediately, has been arrived at only just now. Many of us want to propose amendments. We have not been able to send up our amendments earlier since even the first publication of the Bill was made only a few days back, on the 8th of May. We have not had time to study the Bill in detail. I request that we may be allowed to propose our amendments now.

PRESIDENT: You may do it: it is that that I want you to do now.

MR. S. J. NAIR (*Nedumangad*): I move that the expression "and any other article" shall be deleted from clause 1, sub-clause (i).

PRESIDENT: We have postponed the consideration of that amendment. We are now at Clause 3.

Clause 3

MR. A. THANU PILLAI (*Trivandrum—Rural*): I move that the words "on the 1st day of April 1934" be deleted.

MR. E. V. KRISHNA PILLAI (*Pattanamthitta*): I support the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am afraid I cannot accept that. I have already explained that the chief reason for the introduction of this measure is our desire to go into line with the Government of India. There the duty taks effect from the 1st of April. It is therefore necessary for all the reasons for which it is necessary to introduce this measure, that we retain the present provision so that there may not be any differentiation. I may tell the House that we can devise suitable machinery to realise duty due from the 1st of April till the date on which this measure is passed into law. In order to be on a line with the British Indian enactment—and that is our main object—is it necessary to have the provision as it is?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I wish to know how the provision would be workable.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): For instance, we can examine the books kept by the manufacturers, or call for information from the manufacturers and others. These are all questions of detail which, I believe, can be solved without much difficulty. In British India also the law was passed only long *after* the 1st April; still the duty took effect from the 1st of April. There is not, I suggest, any insurmountable difficulty to devise the means to realise duty from the 1st of April. There is nothing inherently wrong or absurd in the provision as it stands.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*:) May I know when the draft Bill was published in British India ?

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): On the 17th March, 1934.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quion II*): How many days prior to the date on which the duty came into operation ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I need not answer that question, as it is only a question of arithmetic.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know the date from which the British Indian enactment came into force ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I think that it is about the end of April that the Indian Legislative Assembly passed it.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): It is admitted that match—making is a cottage industry in Travancore. Is it not likely that no books are kept by these manufacturers ?

MR. K. R. ELENKATH (*Kalkulam I*): We are now at clause 3, Sir.

PRESIDENT: Let us confine ourselves to the provision now before us.

MR. T. K. VELU PILLAI (*Trivandrum Urban*): I wish to support the amendment.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): On a point of order, Sir, Mr. Paramesvara Aiyar has asked a question exclusively relating to Clause 3; and that has not been answered,

PRESIDENT: You are speaking on behalf of Mr. Paramesvara Aiyar? (*Laughter*).

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If given a chance, I will answer.

PRESIDENT: I very much like the honourable member who is now in charge of the Bill to realise the fact that he is asking the House to accord their approval to a Bill which is not passing through the usual stages, (Mr. E. V. Krishna Pillai: *Hear, hear*). which other Bills do; and therefore it is only right on their part, if before they give their assent they ask for all relevant informatian to enable them to help the Government in getting this measure passed and I fully sympathise with the members of this House. I only wish that the Law Member or the Chief Secretary will be good enough to do so before I take up the third stage of the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Bill was passed in British India, I see, on the 21st of April by the Assembly and it subsequently received the approval of the Council of state, and I believe it became law about the middle of May. The question raised by Mr. Paramesvara Aiyar was—what will you do with the petty cottage industries which may not have any books and how are you going to collect duty on these cottage industries from the 1st of April? I may say, Sir, at the outset that the same difficulty would arise in British India, because there too, although the law came into operation only in May, the duty applies to the cottage industries also from the 1st of April. So, this difficulty which has been raised now must have been felt there and yet they have that provision, apparently because it is possible to provide a machinery for realising the duty with retrospective effect. I am only saying just now that it is *possible* to devise an efficient means for realising the duty. The department entrusted with the duty of collecting the excise duty on matches will propose the necessary machinery. As an example, I may say that, if books are not available, the manufacturers may be questioned as to the number of matches they produced or information may be called for from other sources. There may be no doubt practical difficulties in doing so, but we have to persevere with it and do the best we can. What I want the House to realise is that we are now passing this law so that we may fall into line with British India, where the duty took effect from the 1st of April. Is it not graceful then on our part that we should follow exactly the British Indian provisions in regard to this?

MR. A. THANU PILLAI (*Trivandrum--Rural*) : May I know from the member why this House was not moved in time for enacting a law to come into line with British India ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; I was saying that the object is that we should fall into line with British India, and as we have accepted that principle, is it not graceful on our part to follow the provision exactly as we find them in the British Indian law unless we apprehend very great difficulties ? My suggestion is that there is no such difficulty so far as this provision is concerned. If it can be overcome in British India, there is no reason why it cannot be overcome here.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Was there any particular reason for the British Government to fix this auspicious date of 1st April ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; I believe that it is because 1st April is the beginning of their financial year.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : If we are to understand that the British Govenment have fixed the date because for them the financial year begins from the 1st April, may I know whether it will not be equally graceful on our part if we began on the 1st of our financial year ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The difficuulty in that case will be this. We have agreed to pool the proceeds of the duty and take a division of pool. The pool will begin from 1st April. If we do not contribute to the pool from 1st April, how are—

MR. M. SIVATHANU PILLAI (*Tovala*) : May I know from the member—

PRESIDENT : It is only this morning I had to appeal to the House in regard to this matter. I quite realise the need for asking questions Let the Law Member finish what he has got to say. He has just half finished his sentence and before finishing the other half, if he is interrupted, the member may naturally lose his balance of mind and he may not know what he has to say next. You must sympathise with him, and wait for a minute for him to finish his sentence.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, what I wanted to say was this. The arrangement was that the proceeds should go into a pool. The British Government will realise the duty and bring it into the pool from the 1st April and we have also to do the same in order that we may share in it. There may perhaps be difficulty in working the measure. But we will try to realise the duty with effect from the 1st April to the best of our abilities and I trust and hope that will succeed.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether, in view of the fact that the merchants have already sold their matches without considering the duty they have to pay, it is morally justifiable on the part of the Government to impose such a duty with retrospective effect?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They must have known that when the Bill was introduced in British India, a Bill was likely to be passed here also. Even before the Bill was published, there was a Press Communique that duty was going to be imposed on matches, and the merchants raised the prices immediately, I think.

MR. PACODE A NARAYANA PILLAI (*Vilavankod*): May I know from the member whether this Government is entitled to share in the proceeds from the 1st of April?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

PRESIDENT: To Sub-clause (3) an amendment has been moved that words beginning with 'or' and ending with '1934' be deleted.

The amendment was put to the vote of the House and declared lost.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I demand a poll.

PRESIDENT: It is discretionary with the President to allow polls. If at every point a poll is going to be claimed, I am afraid I shall have to rule that no poll shall be allowed.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): But hitherto it has never been disallowed.

PRESIDENT: The President may think that the poll has been called for for insufficient reasons. Anyhow, I shall not be cruel to begin with.

A poll was taken with the following results:

AYES—21

1	Mr.	S. Chattanatha Karayalar	12	Mr.	K. Mahomed
2	,,	P. Chidambaram Pillai	13	,,	M. N. Nair
3	,,	A. S. Damodarn Asan	14	,,	P. K. Narayana Pillai
4	,,	A. Easwara Pillai (*Kalkulam II*)	15	,,	S. Nilakanta Pillai
5	,,	A Easwara Pillai (*Kottarakara*)	16	,,	Edavanatt S. Padmanabha Menon
6	,,	K. R. Elenkath	17	,,	Kainikkara M. Padmanabha Pillai
7	,,	Pottayil S. Krishna Panickar	18	,,	Changanachery K. Paramesvaran Pillai
8	,,	N. K. Krishna Pillai	19	,,	A. Thanu Pillai
9	,,	Puthupalli S. Krishna Pillai	20	,,	V. K. Velappan Nair
10	,,	T. Krishna Pillai	21	,,	T. K. Velu Pillai
11	,,	K. Kunjukrishna Pillai			

NOES—33

1 Mr. N. Abdur Rahiman Sahib
2 „ K. C. Abraham
3 „ T. K. Alexander
4 „ V. T. Chacko
5 „ E. H. Francis
6 „ Antony George
7 „ K. George
8 „ M. Mahomed Haneef
9 „ N. John Joseph
10 „ T. C. Joseph
11 „ K. C. Karunakaran
12 „ T. T. Kesavan Sastri
13 Rao Sahib Dr N. Kunjan Pillai
14 Mr. C. V. Kunjuraman
15 „ E. K. Kunjuraman
16 „ K. M. Kuriakose
17 „ C. O. Madhavan
18 „ K. Madhavan
19 Mr. K. A. Narayana Pillai
20 „ Pacode A. Narayana Pillai
21 „ G. Nilakantan
22 „ R. Nilakanta Pillai
23 „ N. K. Padmanabha Pillai
24 Rao Sahib S. Paramesvara Aiyar
25 Mr. Kayalam Paramesvaran Pillai
26 „ V. Ramakrishna Panickar
27 „ R. Raman Pillai
28 Rao Bahadur N. Ramanuja Aiyangar
29 Mr. K. Sankaran
30 „ R. M Statham
31 „ T. C. Thommen
32 „ G. B. E. Truscott
33 „ N. E. Varughese

NEUTRALS—9

1 Mr. S. J. Nair
2. „ T. S. Jayanthan Nambootiri
3. „ K. M. Krishnan
4. „ E. V. Krishna Pillai
5. „ M. K. Madhavan Pillai
6. Srimati T. Narayani Amma
7 Mr. K. Padmanabhan
8 „ S. Thiraviam Nadar
9 „ T. P. Velayudhan Pillai

The amendment was declared lost.

PRESIDENT: Clause 3 will now form part of the Bill.

Clause 3 was added to the Bill.

Clause 4.

PRESIDENT: The question is whether Clause 4 do form part of the Bill.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Clause 4 (*a*) refers to matches in boxes or booklets. I do not know what 'booklets' signifies.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): On a point of order. Is there any provision for the clearing of doubts when a clause is put?

PRESIDENT: I think your friend on the other side will withdraw it in view of your remarks. Of course, we are trying to make amendments to the clause if we can, but not trying to open the Webster's Dictionary.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): A word of personal explanation. As the President remarked a little while ago, since this measure is not passing through the usual stage, information should be supplied to the House on relevant points. I am sure even now the Law Member is not able to give a definite answer.

PRESIDENT: I think it is in his mind already. The difficulty of the member would be cleared at once on a reference to the speech of the Finance Member. That apart, there is no amendment to Clause 4. Therefore Clause 4 will stand part of the Bill.

Clause 4 was added to the Bill.

Clause 5.

PRESIDENT: The question is whether Clause 5 sub-clauses (1) and (2) do stand part of the Bill.

MR. S. J. NAIR (*Nedumangad*): I wish to move the following amendment to Clause 5. In sub-clause (1) I move that the sentence that occurs after 'arrear', namely 'and the authority to which such duty is payable may, in lieu thereof, recover any sum not exceeding four times the amount of duty unpaid which such authority may in its discretion think it reasonable to require' be deleted and that sub-clause (2) also be deleted. Otherwise it would work very hard.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Here again I must say that this provision is put in exactly as it is in the British Indian Law.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): On a point of order. The amendment was not seconded.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That provision is put in exactly as it is in British India. The British Government has desired that we should adopt even their procedure as much as possible when enacting this law. Once we admit that the principle of this Bill is correct, it seems to me that this penalty which is imposed here cannot be objected to on principle. The second part of sub-clause (1) of Clause 5 says that as a penalty the authority to which such duty is payable may recover any sum not exceeding four times the amount of duty unpaid.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know whether the penalty is the same as in British India?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

PRESIDENT: In view of the explanation of the Law Member, does the mover of the amendment press it?

MR. S. J. NAIR (*Nedumangad*): I may say a word as an explanation to what the Law Member said. It is stated in sub-clause (2) of Section 5 that the arrear shall be collected under the Land Revenue Recovery Regulation; and at the same time it is stated it shall be recoverable in addition to the arrears, with an additional amount of penalty incurred under this Regulation. Nowhere in the Land Revenue Recovery Regulation is it stated that an arrear shall be collected with a penalty extending to four times the arrears. So the explanation given by the Law Member is not convincing and clear. Such being the case, I press my amendment.

PRESIDENT: The question is that the words beginning from 'as' in the third line, sub-clause (1) of Clause 5 and ending with 'require' at the end of it should be deleted. The question is whether that should be deleted from sub-clause (1) of Clause 5.

The amendment was put to the vote of the House and lost.

Clause 5 was added to the Bill.

Clause 6.

PRESIDENT: The question is that Clause 6 do stand part of the Bill.

The motion was carried and the clause was added to the Bill.

Clause 7.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I move an amendment that Clause 7 which reads—

> "Our Government may by notification in our Government Gazette prohibit absolutely, or with such exceptions as they think fit, the bringing of matches or other articles into Travancore from the territory of any specified Prince or Chief in India"

be deleted. Sir, I think this clause is unnecessary because according to the statement of Government themselves all the States have agreed to pool their resources for us to get the division and we need not put into our statute book a provision like this.

When we talk so highly of the necessity of co-operation between the Provinces of British India and Travancore, should we not insist specially about co-operation that should subsist between ourselves and British India. Even if British India insist, should we add a clause by which we may discriminate as between Princes of Indian India? In the circumstances explained by the Law Member, there is not such a necessity. All the States have joined the agreement and have agreed for the pool so that no occasion will arise for us to prevent the entry of matches into this State. Under these circumstances and in the name of co-operation, I say that this clause be deleted.

MR. PUTHUPALLIS KRISHNA PILLAI (*Quilon II*): Does not the member think that a provision should be made if some of the Princes may fail in their promise and think it necessary to withdraw from the agreement?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I did not say that *all* the States have joined the agreement. A large *majority of them* have agreed. So it is necessary to have a provision like this. The British Indian Act also has got a provision like this.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I second the amendment.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I have got another amendment.

PRESIDENT: Is it in Clause 7?

MR. A. THANU PILLAI (*Trivandrum-Rural*): Yes.

PRESIDENT: Then you will have to wait. There is already an amendment for the deletion of the whole clause. Only if it survives is there need for your amendment.

Now the question is that Clause 7 be deleted from the Bill.

The amendment was put to the vote of the House and lost.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I move that the words 'or other articles' be deleted.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is no difference between us on that point. On the assurance given on behalf of Government, I second the amendment that the words 'or other articles' in lines two and three be deleted.

MR. K. R. ELENKATH (*Kalkulam I*): Does the member accept or support the amendment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I second the amendment. It is for the House to carry it.

PRESIDENT: The clause as amended will read:

> "Our Government may, by Notification in Our Government Gazette, prohibit absolutely, or with such exceptions as they think fit, the bringing of matches into Travancore from the territory of any specified Prince or Chief in India".

The question is that Clause 7 as amended do form part of the Bill.

The motion was put to the vote of the House and carried, and the Clause was added to the Bill.

Clause 8.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I move that the word 'booklets' occurring in line 4 of sub-clause (1) of Clause 8 be deleted as the meaning of the word is not clear.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Matches are sometimes issued in booklets also. If you open the packet as you open a book, you will find that the matches are stuck up there, and that is a booklet of matches.

PRESIDENT: So you do not insist on your amendment, Mr. Krishna Pillai?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): No.

MR. S. J. NAIR (*Nedumangad*): I move that the words 'in a factory' also be added between the words 'manufactured' and 'after' in line 2 of sub-clause (1). Then the clause will read:—

> 'Our Government may, by Notification in our Government Gazette, direct that after a date to be specified in the notification no matches manufactured *in a factory* after the date of the issue of the notification shall be issued from a manufactory in Travancore except in packets, boxes or booklets bearing a banderol or stamp of such nature and affixed in such manner as may be prescribed.'

It is entirely to safeguard the interests of the cottage industry.

MR. K. R. ELENKATH (*Kalkulam I*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I may explain with regard to this provision that some concession is proposed to be given to the cottage industry. In Clause 19 you will find that there is a provision made for a rebate of duty That clause is:—

> "Our Government may, by notification in our Government Gazette, make rules to provide for the grant of a rebate of the duty payable under the provisions of the Regulation on matches manufactured in any manufactory whose daily output does not exceed one hundred gross of boxes to the following extent namely etc."

The object of that rebate is to see that undue burden is not placed on matches issued out of cottage industries which it is presumed cannot produce more than 100 gross of boxes a day. This provides for a concession to matches manufactured in any place whose daily output does not exceed one hundred gross of boxes. I may here read a portion from the Report of the Select Committee of the Indian Legislative Assembly on the Indian Bill. This is what it says:—

> "We have also given careful consideration to the position of the cottage industry for making matches. In this connection our attention was drawn to the recommendation contained in paragraph 136 of the Report of the Indian Tariff Board regarding the grant of protection to the Match industry to the effect that "though there was no ground for extending assistance to match manufacture as a cottage industry, it would be unfair by means of an excise duty to impose on cottage factories a special burden which would not be borne by better equipped concerns having greater financial resources". We feel that this contention has considereable force if the use of banderols is now to be imposed. We have therefore, provided for the grant of a rebate of the duty payable under the Act at rates corresponding, when the difference in the sizes of boxes is taken into account, to the concession considered suitable by the Tariff Board, and we have followed the Tariff Board in taking the output of the factory as a suitable criterion for distinguishing the class of manufactories to which this concession may be extended. The danger of abuse of the concession by splitting up larger concerns into smaller units could be effectively met by the use of the power which the authorities will possess to grant or with-hold licenses to manufacture".

This is from para 4 of the Report and it will, I think, entirely meet the point raised by Mr. S J. Nair.

PRESIDENT: So you do not insist on your amendment, Mr. S. J. Nair? It has been explained.

MR. S. J. NAIR (*Nedumangad*): I do not.

PRESIDENT: The two amendments having been withdrawn, the question is whether Clause 8 do form part of the bill.

The motion was carried and the Clause was added to the Bill.

Clause 9.

PRESIDENT: The question is that Clause 9 do form part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 10.

PRESIDENT : The question is that Clause 10 do form part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 11.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Two amendments are called for in Clause 11.

PRESIDENT : If they are only consequential amendments, I think the Law Member himself will bring in the amendments.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That will be done.

PRESIDENT : The question is that Clause 11 do form part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 12.

PRESIDENT : The question is that Clause 12 do form part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 13.

PRESIDENT : The question is that Clause 13 do form part of the Bill.

The motion was carried and the Clause was added to the Bill.

Clause 14.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I have got an amendment in Clause 14. Delete the words' or fails to supply any information which he is required under this Regulation or any rules made thereunder to supply' occurring in lines 2 and 3 of Clause 14.

The Clause as it stands now is "whoever evades or attempts......... ....both". I want deletion of the words beginning from ....' or fails to supply any information which he is required under this Regulation or any rules made thereunder to supply" in lines 2 and 3. *Bona fide* omission to supply information may be left out of the purview of this Clause. To make my position clear, it is a heavy penalty prescribed under this Clause. Whether an omission is *bona fide* or intentional cannot be easily found out. It is quite safe therefore that such omissions are taken out of the purview of the penalty clause.

MR. S. J. NAIR (*Nedumangad*) : I support Mr. E. V. Krishna Pillai, since an omission is not made an offence but a commission.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : This provision is exactly as it is in the British Indian Enactment. So then it is not a special provision applicable for this country alone. That apart, on the merits of the provision, I may say that it is only fair that, if a person, who is required by the rules to supply information, does not comply with that, he must be punished. Otherwise, it is impossible to work the rules.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Is there any parallel clause in the Income Tax Regulation saying that, if a man does not supply the information in proper time and in proper manner, he will be punished.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I am not now in possession of that information.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : The member can take it from me that there is no penalty clause like this in that Regulation.

PRESIDENT : There is difference between the two. In the case of income tax, the authority concerned can levy any tax in the absence of any material furnished by the party. But here, of course, Government cannot do likewise. They can levy no excise duty without the information. There is this obvious difference. The analogy does not apply. But, however, Mr. Krishna Pillai, I believe you do not entertain any serious objection to that.

The amendment was put to the vote of the House and lost.

PRESIDENT : The question is that Clause 14 do stand part of the Bill.

The Clause was added to the Bill.

Clauses 15 to 19.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I move that the expression "or any other articles" in line 3 of Clause 15 be omitted.

PRESIDENT : That is a consequential amendment. The Law Member will move for the deletion of such consequential amendments at the third reading stage.

Clauses 15 to 19 were added to the Bill as there were no amendments.

Clause 20.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): I move for the deletion of Clause 20, sub-clauses (1) and (2).

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; I second the motion and request the House to accept it.

The motion was put to the vote of the House and carried.

Clause 21.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I move for the deletion of the Clause. I am not able to understand the necessity for this Clause. Nor has it been clear from the Law Member's statement that a provision of this nature is necessary.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I second the amendment. I very much doubt whether this Assembly can deal with the Interportal Trade Convention.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I accept the amendment. It is only by way of abundant caution that I put in such a provision. I have no objection to take it away if the House wants it to be done.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I cannot allow the Law Member evading an answer to this question. He must as in duty bound explain why he inserted this provision. Simply saying that he accepts the amendment is not the responsible way of doing things.

PRESIDENT: But, do you object to the deletion of the Clause?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): No, Sir.

PRESIDENT: There is a motion before the House for the deletion of Clause 21, proposed and seconded.

The motion was put to the vote of the House and carried.

Clause 1.

PRESIDENT: The question is whether Clause 1 do form part of the Bill.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): I move that expression "and other articles" be deleted.

The motion was put to vote and carried.

Clause 1 was added to the Bill.

PREAMBLE.

PRESIDENT: The question is that the Preamble with the omission of "and other articles" do stand part of the Bill.

The motion was carried. The Preamble as amended was added to the Bill.

PRESIDENT: The clauses have been accepted and I propose to proceed with the third reading of the Bill. The Law Member will of course move for the deletion of "and other articles" wherever it occurs in the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move for the deletion of the words "and other articles" in the long title of the Bill.

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

The motion was carried.

PREAMBLE.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) I move for the deletion of the words "and other articles".

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

The motion was carried.

Clause 1.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I move for the deletion of the words "and other articles".

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

The motion was carried.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): I suggest that this Regulation may be called the "Travancore Matches Duty Regulation".

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It is there already the Regulation will be called the "Travancore Matches Excise Duty Regulation".

Clause 7.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move for the deletion of the words "or other articles" occurring in lines 2 and 3.

MR. R. M. SATATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

Clause 11.

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move that in line 2 and 5 the expression "or other articles" be omitted.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : In line 5, I move for the deletion of the words "as the case may be".

MR. R. M. STATHAM (*Director of Public Ist ruction*) : I second it.

The motion was carried.

Clause 15.

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move for the deletion of the words "or any other articles".

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

Clause 16.

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move for the deletion of the words "or other articles" in line 4.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move that in the same Clause the expression "or other articles" in line 9 be omitted.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move that, in the same Clause, in the proviso, line 3, the expression "or other articles" be omitted.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

Clause 17.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move that, in line 7, expression "or other articles" be omitted.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

Clause 18.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : In sub-clause (2) (*h*), I move for the deletion of the expression "or other articles" occurring in line 1, 3 and 5.

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

The motion was carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I now beg to move that the Bill as amended be passed.

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

PRESIDENT: Is it the pleasure of the House that the Bill be passed?

The Bill was passed.

THE TRAVANCORE EDAVAGAI BILL.

PRESIDENT: The next item in the programme is the second reading of the Travancore Edavagai Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to present the report of the Select Committee on the Travancore Edavagai Bill and beg to move that the Bill as reported be taken into consideration.

MR. R. M. STATHAM (*Director of Public Instruction*): I second it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I have given notice of amendments.

PRESIDENT: The first amendment is that it should be recommitted.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I move for the recommittal of the Bill as redrafted by the Select Committee. The majority of the Select Committee admit the fact that they have made changes so very minute and so very far-reaching that it was not possible for them to publish the report of the Select Committee in the specified form. But I do not agree with the statement of the majority of the Select Committee that the changes made are changes in mere details. They are fundamental changes of principles; and the Bill, as it is presented, contains principles which where not accepted by this House at its first reading. When the Travancore Edavagai Bill was first read in this House, the principle, as has been explained by the Law Member, was that it was intended to give permanent occupancy right to the tenants. From all the explanations and from all the understandings that we could gather from the discussion of the Bill at its first reading, the most important principle that has been before this House and accepted by this House was that the tenant should be given permanent occupancy right. Now the question before the House is whether the Bill, as it is redrafted by the Select Committee, presents that principle. I submit 'not' because in the new Bill—pardon me for calling it like that—we find that the most anxious consideration has not been that the tenants should be given permanent occupancy right but that *taravila* should be realised from the tenants. That seems to be the primary concern as seen from the Bill as redrafted by the majority of the Committee. Sir, I contend that is a violent change in principle.

Whether that change is good or bad, I am not at present going to explain or argue upon. It will be enough for my purpose for the recommittal of the Bill to point out that it has been an important change. It has been a fundamental change. It has been a change in the principles of the Bill itself. That fact is borne out by a cursory perusal of the Bill as redrafted by the majority of the Select Committee.

Another point is that the Select Committee has taken 17 sittings to redraft the Bill and they say they have gone thoroughly into the Bill and that they made very many innovations. But so far as we are concerned, I think, the Bill as presented to the House cannot be recognised as the original Bill that was sent to the Select Committee.

Another principle of vital importance is this. The original intention when the Bill was introduced in this House was to have a consolidated legislation for the Edavagais of Edapalli, Kilimanur, Vanjipuzha, Poonjar and other Edavagais which may be availed of by all these Edavagais irrespective of their size or other considerations, and to repeal the Rent Recovery Regulation which applied to Edapalli and Kilimanur alone. Again, Sir, I do not at present say whether that change has been good or bad; but I say again it is a fundamental change, an inroad into the accepted principles of the Bill. When we are convinced that the Select Committee has gone too far and effected such far-reaching changes of such far-reaching consequences, I think this House has got a right to ask that the Bill be scrutinised by another Select Committee. Certain provisions they have not explained. Why it is inconvenient to include similar Edavagais they have not explained. The report says that there may be instances of similar Edavagais where the application of these rules may create confusion. They ought to give us a more definite reply to that. If it is inconvenient, they ought to say how it is inconvenient. There has been a lot of criticism that Edapalli and Kilimanur have been left out from the application of the provisions of this Bill. There has been complaint on that and there has been complaint from similar Edavagais that they are not allowed to get the benefit which these Edavagais are going to get. When benefit is going to be conferred on one set of Edavagais, I think it should not be denied to certain other Edavagais simply because they are small. They will find it difficult to introduce another Bill for their own Edavagais and get it passed.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know from the member how many such small Edavagais there are?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): The fact is admitted that there are similar Edavagais of smaller size.

PRESIDENT: The member will address the Chair.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know from the member whether Edapalli and Kilimanur are called Edavagais or only Estates?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): In this Bill they are called Estates. But I do not think by that they forfeit the right of being Edavagais.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know from the member whether they are called Edavagais in any other Regulation or in any other Government publication?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) They may be called Estates for the purpose of the Rent Recovery Regulation. In the draft Bill they were called Edavagais. That is a change that has been introduced into this and perhaps it may be for obvious reasons because of certain provisions of this Bill as it is redrafted apply only to Edavagais But in the Rent Recovery Regulation they are called Estates, and that is the reason for retaining the term Estates.

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): May I know whether the member finds any difference in significance between the terms Estates and Edavagais?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I think the significance or otherwise in the name is a matter of sentiment and I do feel that some people interested in the Edavagais of Kilimanur and Edapalli would feel that they are slighted when they are called Estates as distinct from Poonjar and Vanjipuzha.

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): Is there any difference in the legal understanding between the two?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I cannot give a definite answer to that because I am not sure of it.

Sir, under these circumstances, I think it will not be safe to take this Bill into consideration as it is. The dissenting minutes show that there are many serious innovations made and in the interests of safe and good legislation, the matter as redrafted by the Select Committee should be srcutinised further and it will also help to secure the easy passage of the Bill without much discussion in this House.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Will it not be sufficient if the whole thing is discussed on the floor of this House?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I think it will be difficult because there have been changes of principles. It will be very convenient to go into details of the drafting of the Bill in a Select Committee rather than in a large House like this. I think it will serve the purpose of all concerned if the Bill is scrutinised and if more information is got with regard to certain matters which are left in doubt and if it is possible to arrive at a greater common measure of agreement between the tenants who are seriously affected and the Edavagais who stand permanently to benefit by the present drafting of the Bill. It will be more in the interest of safe legislation that this Bill as redrafted is recommitted and scrutinised by a smaller body and presented to this House for consideration in the second reading. With these words, I move that the Bill as redrafted by the Committee be recommitted.

Mr. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I second Mr. Kunjukrishna Pillai. I was myself a member of the Select Committee and I have in a general way stated my reasons in the dissenting minute submitted by me along with the majority report of the Committee. As has been stated here by Mr. Kunjukrishna Pillai, the original idea was to have one piece of legislation applicable to all the Edavagais. Before going into the merits of the matter and before considering any of the details of the question, I hope it will be conceded that the law applicable to these Edavagais should be the same. There should be, in justice and fairness, and as a matter of expediency and policy, no distinction in the treatment accorded to the subjects of the various Edavagais and to the facilities and powers conferred upon the Chiefs of those Edavagais. That was a principle that was patent on the face of the original Bill as it was introduced and the statement of objects and reasons specifically mentioned it.

But in the Select Committee things took such a turn that it was thought necessary to give a differential treatment to Poonjar and Vanjipuzha from that accorded to Kilimanur and Edappalli when the latter Edavagais were settled. Reference was made here to the two terms *Estates* and *Edavagais* and questions were asked as to whether there are Government records in which Kilimanur and Edappalli have been referred to as Edavagais. There are Government publications and records where Kilimanur and Edappalli are referred to as Edavagais, and the distinction now made in the Select Committee's Bill between Estates and Edavagais, in calling Kilimanur and Edappalli Estates and Poonjar and Vanjipuzha Edavagais has been occasioned by the fact that the Select Committee in its decisions took the view that these Estates should be differently treated. That arose in this way. There is already a Regulation, Regulation IV of 1068, applicable to Kilimanur and Edappalli. In that Regulation these two Edavagais have been called Estates. I do not quarrel with the term Estate or Edavagai but to me it appears that there should be no distinction between the nomenclature applied to these Edavagais and that applied to the others.

Mr. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member suggest that by the recommittal alone could these deficiencies be rectified?

Mr. A. THANU PILLAI (*Trivandrum-Rural*): I expect the Law Member to wait till I have made my speech. Certainly I should have very much missed the object of my language if that was the impression produced by what I have said. I am at the point that these Estates should be treated alike and that they should be called alike. Why should we call one person a man and the other an ass, if the latter is also a man? There is the Regulation, IV of 1068, applicable to Kilimanur and Edappalli. Now the new Bill has been called the Edavagai Bill. Because a distinction was found necessary the term Estate

[Mr. A. Thanu Pillai.]

was retained for Kilimanur and Edappalli and the other two are called Edavagais, though there is no substantial difference in the nature of these Edavagais or these estates.

Now I was at the point that the object of the original Bill was to treat all these Edavagais alike as far as possible. That object has been defeated by the provisions which have been adopted by the Select Committee. Now a different treatment is sought to be accorded to the Edavagais of Poonjar and Vanjipuzha from that accorded to Kilimanur and Edappalli. The Rent Recovery Regulation, IV of 1068, declared that the tenants or land-holders in the latter Edavagais shall have permanent rights of occupancy in respect of their holdings as holders of land under the Government. That was thus a declaration that conferred the rights of permanent occupancy on the holders of land in Kilimanur and Edappalli. Now the present Bill in its objects and reasons says: "The Chief of Vanjipuzha has all along been agitating to have his Edavagais settled. The Chief has no objection to confer permanent rights of occupancy upon his tenants. The same may be said to be the case with Poonjar. The present legislation is therefore undertaken with a view to confer upon the tenants of Poonjar and Vanjipuzha Edavagais permanent rights of occupancy as in the case of Edappalli and Kilimanur". So the object of the Bill mainly was to confer upon the tenants of Poonjar and Vanjipuzha permanent rights of occupancy as was done in the case of the tenants of Kilimanur and Edappalli. Then coming to the provisions in the original Bill the two main provisions relating to this aspect of the matter are these. One clause says that the rents payable to the Chiefs in these Edavagais shall be settled. That is one provision. The other provision is that, when the rents are settled, the tenants shall have permanent rights of occupancy, transferable and heritable as in the case of the holders of land under Government. Now Sir, I put the question whether it was not the clear intention of the original Bill to treat the tenants of Poonjar and Vanjipuzha in the same way as the tenants of Kilimanur and Edappalli and to confer upon the tenants of Poonjar and Vanjipuzha the same rights of permanent occupancy as was done in the case of the tenants in Kilimanur and Edappalli. That was the object of the Bill. Now what is it that the Select Committee has done? As my friend Mr. Kunjukrishna Pillai stated, they do not propose to confer permanent rights of occupancy upon the tenants. They have made a provision which in effect means that the lands in the possession of these land-holders will be sold to them. Now, Sir, in the case of Kilimanur and Edappalli, when permanent rights of occupancy were conferred upon the land-holders, no price was taken for the lands from them, even though they could have been ousted before that. The fact that they were land-holders was itself taken to be the basis for the conferment of permanent occupancy rights on them and that was sought to be done by the original Bill here in respect of the tenants of Poonjar and Vanjipuzha. The Select Committee has ignored that object of the Bill and has provided

that these lands will be sold for a price to the land-holders. Sir, from the history of legislation relating to similar matters in Travancore, from the way in which Government have dealt with land-holders, it will be clear that the provision in the original Bill was in accordance with what has been done in the past, and that was what the people were expected to believe. In the year 1040 was issued the Royal Proclamation conferring permanent rights of occupancy on *Venpattom* tenants who hold lands under the Sirkar. No price was taken for the lands in the possession of tenants in Kilimanur and Edappalli in 1068 when rights of permanent occupancy were conferred on them. The fact that they were tenants was enough. By way of analogy, I may refer to the fact that persons who held lands under *Jenmies*, though they had no right of permanent occupancy before, had permanent occupancy rights conferred on them by the Proclamation of 1042 and this right was affirmed by the Regulation of 1071. The history of tenancy legislation in Travancore has been to this effect and that was what was sought to be done by the original Bill and that was just and proper, fair and equitable and expedient. So it may be seen that the original Bill merely made provision to confer permanent occupancy rights on the tenants and to settle the rents. Nothing more had to be done. But in the Select Committee the idea of selling the lands for a price was brought in with the result that a large number of complicated provisions have been found necessary in the Bill.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Was there a difference in the treatment accorded to tenants under Edappalli and those under Poonjar, because it was suggested that in this Bill the idea was to sell lands to tenants holding such lands? Is there not a provision in the Bill that tenants holding lands under deeds need not pay any *taravila*?

MR. A. THANU PILLAI (*Trivandrum-Rural*): The question is not quite clear.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): It would seem from the arguments advanced by Mr. Thanu Pillai that the tenants under Poonjar were asked to pay for every inch of land occupied by them. But what I understand is they are not asked to pay *taravila* in respect of lands which they hold under some deeds from the Chiefs.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I am glad, I am now given an opportunity to explain the matter further. Evidently my friend Mr. Krishna Pillai has not correctly understood me or I was not quite clear in my language. What I meant to say was this. I have all along been saying that the Proclamation of 1040 conferred permanent rights of occupancy on *Venpattom* tenants who held land under the Sirkar. The same thing was done in 1068 in the case of Edappalli and Kilimanur. Now my friend is referring to a provision in the Select Committee's Bill which no doubt recognises the rights of permanent occupancy already vested in certain land-holders. In these Edavagais, lands are held under different tenures. The Chiefs have sold some of their lands to other persons who purchased

[Mr. A. Thanu Pillai.]

them for a price, and the Chiefs may also have granted lands on *inam*. Now the rights of these tenants in respect of these lands are not to be taken away by the Select Committee's Bill. Of course I concede that the Select Committee was not mad enough to do that. When I refer to conferring permanent occupancy rights, Sir, that can only apply, so far as the legal mind is concerned, to a person who is not already in enjoyment of permanent occupancy rights.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*) : On a point of order, Sir, may I ask whether the member was justified in saying that the Select Committee was not mad enough to do that. It is an insinuation and therefore I raise the point of order.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Sir, it was far from my mind to insinnate anything. What I meant to say was and I still maintain that it would be madness to think of conferring permanent occupancy rights on persons who already have such rights.

PRESIDENT : The honourable member himself was a member of that Committee. (*Laughter*).

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Is it the suggestion of the member that in any Edavagai permanent occupancy rights were conferred upon trespassers, people who have encroached upon lands without any deed in support of their occupation?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Sir, till now I did not refer to anything relating to trespassers. I mentioned only the tenants and land-holders and I do not think these expressions include trespassers. Well, Sir, I am sorry I am made to take up much more time than I wanted, on account of interruptions.

PRESIDENT : I shall save you from further attacks.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Thank you, Sir. I was talking of tenants who had not acquired permanent rights of occupancy from the Chiefs. So far as the persons who had acquired permanent rights of occupancy in respect of their holdings are concerned, I concede that the Select Committee did not take away such rights. I have no quarrel so far as that is concerned. I am concerned with the cases where there is occasion for conferring permanent rights of occupancy. When a Bill says that the tenants in these Edavagais will be given permanent occupancy rights in respect of their holdings, it can only mean that the tenants who do not already enjoy permanent occupancy rights but who are holders of lands in these Edavagais will be given such rights. It was such tenants who held lands under Government and in the estates of Kilimanur and Edappalli that were given permanent occupancy rights in 1040 and 1068. The Select Committee has now, as I said, decided upon recommending certain provisions which are to the effect that these *Venpattom* tenants who have not already got permanent occupancy rights will be given such rights only in case they pay a price for the lands they hold. That, I say, is a deviation from the principle of the original Bill. It is objectionable in

many ways. It goes against the history of similar legislation in the State. It goes against what has been done in the case of Sirkar lands and Kilimanur and Edappalli lands and there can be absolutely no justification for that so far as I can see.

In one of the meetings of the Select Committee, we were given to understand that one of these Edavagais was granted to the Chief about the year 981. Suppose that had not been done and the tenants had been holding the lands under the Sirkar. What would have happened? The tenants would have got these lands at the time of the settlement on the basis of their being the holders of the lands. That was so in the case of the other two Edavagais, namely, Edappalli and Kilimanur. What justification is there, I ask, for deviating from that now? Sir, even at the Select Committee stage, some of my friends asked me, "Why do you insist on the lands being given away permanently without payment of any price to the real owners of the lands?" Sir, that question reveals utter ignorance of tenancy legislation both here and elsewhere. Sir, it is a well-known principle that tenants should be enabled to have permanent occupancy rights. That is accepted throughout the world. While, in 1068, such rights were granted to the tenants of the Kilimanur and the Edappalli Edavagais, is it not startling that now, forty years after, it is suggested that the tenants in the other two Edavagais must be asked to pay *taravila* to the Chiefs in order to get permanent occupancy rights? Sir, the tendency of tenancy legislation, throughout the world, has been towards giving permanent occupancy rights to the tenant. So recently as 1930, in the case of Malabar, that was done in respect of *venpattom* tenants. The tendency of legislation in British India has been such as to confer on the tenants permanent occupancy rights.

There is also one other aspect of the matter to which I would like to refer. The non-official members, at any rate, are unanimously agreed as to the pressing need for granting at least 50 per cent. remission of land tax due to Government. That shows the poverty in the country on account of the economic depression. From what I was able to understand from the representative of the Poonjar Edavagai, at the Select Committee, the rent now levied there is only about half a rupee per acre on an average. As a result of the proposed settlement, it is likely to be raised to about one and a half or two rupees per acre. In addition to this increased rent, the Select Committee has recommended a further payment by the tenant in order to get permanent occupancy rights. Sir, is this the time for that? Certainly not. I repeat that, on principle, the proposal of the Select Committee is wrong even apart from the present condition of the people. Therefore, Sir, the provision in the original Bill, the statement of objects and reasons, the history of similar legislation in this State, the tendency of tenancy legislation everywhere, the present economic depression and above all the duty of this House to safeguard the interests of the poor ryot in the country, all these lead to the irresistible conclusion that the recommendation of the Select Committee should be vetoed by this House and the Bill recommitted.

[Mr. A. Thanu Pillai.]

Then, Sir, in regard to the settlement of the lands in the Edappalli and Kilimanur Edavagais, the principle followed was exactly the same as in the case of Sirkar lands. Now, according to the recommendation of the Select Committee, there will be no uniformity even as regards the Edavagais themselves in respect of this matter. As far as possible, should we not adopt, in the case of the Poonjar and Vanjipuzha Edavagais, the same rules as were adopted in the case of Kilimanur and Edappalli? The principle of securing that uniformity has been violated by the Select Committee. On that ground also, the Bill should go back to the Select Committee. This difference of treatment we find also in regard to the powers conferred on the Chiefs and the facilities afforded to them for collecting the rent. Sir, in the 1068 Regulation, there is the provision that the powers under the Revenue Recovery Regulation may be made applicable for the recovery of the dues to the Chiefs of Edappalli and Kilimanur. But, even the Legislature of those days—it was, I believe, entirely or mostly composed of officials—thought it necessary to safeguard the interests of the tenants by providing that such powers under the Revenue Recovery Regulation could be exercised only by the officers of Government. The Regulation clearly states "by Our officers", so that only Government officers, *acting as Government officers*, can take coercive steps. Sir, now, in 1109, more than forty years later, the Select Committee of this House propose that such powers may be exercised by the agents of the Chiefs. And such extraordinary powers are conferred only on the Poonjar and Vanjipuzha Chiefs and not on the agents of the Kilimanur and Edappalli Edavagais. Sir, I am at a loss to understand why such a distinction should be made. Sir, it is far from my object to suggest that these powers should be conferred on the agents of the Kilimanur and Edappalli Edavagais also. We should have in the present Bill only the same provisions as we have in the 1068 Regulation.

In this connection, I may refer to the debate in the Legislative Council on a former occasion when those powers were sought to be conferred on the Sripadom officers. Sripadom certainly stands on a *much* higher footing than these Edavagais. Sir, you may know that that is the Estate of the Ranis of Attingal now under the control of Her Highness the Senior Maha Rani. The Council then raised serious objection to these powers being conferred on the Sri-Padom officers: and although by a narrow majority, the Bill passed the second reading in the Council, Government wisely refrained from further proceeding with it and dropped it. That Bill never came up for the third reading, although it is now more than two years since the second reading is over. I am aware of the provision, Sir, in the present Select Committee Bill that the officers who are to exercise these coercive powers under this Bill must be officers lent by the Government. But it makes no difference. So long as they are under the Chief they are his officers. I do not suppose that Government would be interfering with them, so long as they are working as the Chief's servants.

Then, Sir, in the Land Conservancy Regulation, there is provision to evict unauthorised occupiers of Sirkar lands. That provision is now sought to be made applicable to the lands in Edavagais. A similar attempt was made in the former Legislative Council in 1097 to extend the application of that Regulation to the Edavagais of Kilimanur and Edappalli. The Council did not even accept the principle of the Bill, and it was thrown out. That provision also now finds a place in this Bill.

Then again, Sir, as a consequence of the introduction of the provision for levy of *taravila*, several changes had to be made in the Bill; and the Bill, as admitted by the majority Report itself, is now practically a new one. It is a matter of common knowledge that every new Bill, *after* its principles are considered by this House, must go to a Select Committee. I submit the principles of this Bill, as now revised, have not yet been discussed and accepted by this House. I beg to submit that, if the second reading of this Bill is now proceeded with, we would in effect, be violating the provisions of the law which definitely lays down that, before the second reading, the general principles of every Bill must first be discussed and accepted by this House.

PRESIDENT : Are you likely to take more time, Mr. Thanu Pillai?

MR. A. THANU PILLAI (*Trivandrum—Rural*) : I require some more time, Sir.

PRESIDENT : Then, we will adjourn now.

The Assembly adjourned at 4-31 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS

of

THE TRAVANCORE SRI MULAM ASSEMBLY.

(OFFICIAL REPORT.)

FIRST ASSEMBLY.

SECOND SESSION.

Tuesday, the 22nd May 1934/9th Edavam 1109.

The Assembly met again in the Victoria Jubilee Town Hall at Eleven of the clock, the President presiding.

QUESTIONS AND ANSWERS.

Acting clerks in the Sub-Registrar's Office at Nooranad.

131. *MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state:

(*a*) the names of persons who have acted as clerks in the Sub-Registrar's Office at Nooranad in 1103, with the period of their total acting service; and

(*b*) whether a list of the persons who have acting claim is kept by the department and, if so, whether the names of all the persons referred to in part (*a*) are included in the same?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) 1. P. Kunji Amma—14 days.

2. M. N. Parameswaran Thampi—4 months and 26 days.

(*b*) Yes. But the name of P. Kunji Amma has not been included in the list as she does not possess E. S. L. C. Examination qualification which has been accepted by the Department as minimum qualification for appointment as clerks in the Department. Kunji Amma was appointed to act as clerk by the District Registrar, Quilon. That she possesses only a Vernacular Higher Examination qualification was discovered by the Director from the monthly returns of appointment. Orders were therefore issued by him prohibiting her appointment in future. In the case of applicants who have not passed E. S. L. C. or any higher examinations, Registration Entrance Examination is insisted on as an additional minimum qualification for appointment in the Registration Department.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Was not the Distric Registrar aware of the rule referred to in the answer?

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RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): He might have been aware of it, but, he made a mistake and that mistake was corrected.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the Registration Test Examination is now held by Government in order to enable such persons to become eligible for appointments?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I believe the examination is held once a year or whenever it is found necessary.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Were the examinations held this year?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It has not been held this year.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know when the examination was last held?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether at the next examination the persons who have acted likewise will be given the chance of appearing for it?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

Economic survey of the Forests.

132. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state:

(*a*) whether any Forest Officer was deputed to continue the economic survey of the forests which the present Conservator of Forests was doing while he was the Senior Deputy Conservator;

(*b*) if the answer to part (*a*) is in the affirmative, whether any report has been submitted by such officer and whether any action has been taken by the Government on such report; and

(*c*) if the answer to part (*a*) is in the negative, the reasons for not detailing such an officer to complete the work, as was promised by the Government?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) Yes, Mr. K. S. Narayana Aiyangar, Divisional Forest Officer, was on this duty from 19-1-1099 to the end of the year.

(*b*) The Utilization Officer submitted a report at the end of his term. But, as he stated in his report that many of his experiments were not complete, he was asked to complete them within six months along with his duties as Divisional Forest Officer. Later on, he reported that he did not find time to do much towards the further investigation and completion of experiments on minor forest produce. Government thereupon ordered the Divisional Forest Officers to

continue the work of investigating and conducting experiments on the minor forest produce in their respective Divisions and report the results periodically. No experiments worthy of mention are reported to have been made by them.

(c) This does not arise in view of the answer to part (a).

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഇതിനെ സംബന്ധിച്ച് അവസാനമായ റിപ്പോർട്ട് സമർപ്പിച്ചിട്ടുണ്ടോ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): ഇല്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ഈ ജോലിക്ക ഗവണ്മെൻറിൽനിന്ന് എത്ര രൂപാ ചിലവായിട്ടുണ്ട് ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know why no experiments worth mentioning were performed by the Forest Division Officers?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Apparently they had not the time to do it along with their other duties.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the Government ascertained the reasons for their not conducting these experiments?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Not specially. They reported that they could not do it along with their work.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the Government ascertained in general the reasons for it?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The reason is that they could not find the time.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the Government cared to appoint a person with sufficient time to conduct the experiments with regard to the minor forest produce?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): No officer has been appointed specially for this work since then.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the Government considered that question?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): No.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Will the Government consider this question as an important one?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): On a point of order, Sir. Is an expression of opinion allowed in a question?

PRESIDENT: No.

The Chengannur (Moozhikal) Illimala canal.

133. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state:

[Mr. T. P. Velayudhan Pillai.]

(a) the years for which budget allotments were made for widening and improving the Chengannur (Moozhikal) Illimala canal and the amount allotted in each year:

(b) the amount spent in each of such years;

(c) if the whole or any part of the allotment had not been spent in any year, the reasons for the same; and

(d) if the work had been provided for in one year but neither completed nor begun in that year and was unprovided for in the subsequent year, the reasons for the same?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (a) to (d) No provision has been made for this work in any of the budgets till now.

Tariff value and market price of cocoanut.

134. *MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state the tariff value of cocoanuts for the levy of duty, and the average market value of cocoanuts, during the last three months (Karkatakam 1108 and Chingom and Kanni 1109) at Alleppey?

MR. C. O. MADHAVAN (*Excise Commissioner*): Bh. Rs. 48 per thousand. The average market value of cocoanuts at Alleppey during the three months, Karkatakam 1108, and Chingom and Kanni 1109 is reported to have varied from Rs. 17 to Rs. 20 per thousand.

MR. A. S DAMODARAN ASAN (*Mavelikara*): May I know whether this disparity between the market price and the tariff value has been noticed by the Government?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether any attempt has been made to bring down the tariff value to the market value?

MR. C. O. MADHAVAN (*Excise Commissioner*): The matter is under the consideration of Government.

MR A. S. DAMODARAN ASAN (*Mavelikara*): How long has it been under the consideration of Government?

MR. C. O. MADHAVAN (*Excise Commissioner*): For some time past.

Tariff value of cocoanut products.

135. *MR. M. N. NAIR (*Kottayam I*): Will the Government be pleased to state:

(a) what is the tariff value each of one candy (6 cwts) of copra and oil fixed by the Government for the purpose of levying export duty on them;

(b) what is the average market price of copra and cocoanut oil for the year 1108; and

(c) the method adopted by Government in fixing the tariff values of articles like copra and cocoanut oil?

MR. C. O. MADHAVAN (*Excise Commissioner*) (*a*) Bh. Rs. 96 and Bh. Rs. 72, respectively.

(*b*) It ranged per candy of copra between Bh. Rs. 47-4-0 and Bh. Rs. 79-2-0; and that of one candy (6 cwts) of oil between Bh. Rs. 68-13-0 and Bh. Rs. 113-8-0, during the year 1108.

(*c*) The tariff values of copra and cocoanut oil are fixed with due regard to their market values and also to the interests of the cocoanut oil industry in the State

MR. M. N. NAIR (*Kottayam I*): May I know from the member whether the tariff value fixed is in the interests of the cocoanut owners?

MR. C. O. MADHAVAN (*Excise Commissioner*): The interest of the cocoanut oil industry is also taken into account in fixing the tariff value. The answer to part (*c*) itself says that the market value also is taken into account in fixing the tariff value.

MR. M. N. NAIR (*Kottayam I*): My question was whether the tariff value that has been fixed is in the interests of the cocoanut owners.

MR. C. O. MADHAVAN (*Excise Commissioner*): The present tariff value was fixed in Karkatakam 1106. The market value has since been going down. The question of reducing the tariff value is under the consideration of Government. It is not possible to reduce the tariff value always in accordance with the variations in the market value. It can only be done from time to time after noticing the variations in the market value for some time.

MR. M. N. NAIR (*Kottayam I*): Is it not necessary to revise the tariff value because of the special circumstances under which the cocoanut owners are labouring?

MR. C. O. MADHAVAN (*Excise Commissioner*): On account of the fall in the market value the question of reducing the tariff value is engaging the serious attention of Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the Government thinks it necessary that the question of reducing the tariff value ought to be decided early enough?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, is it not a matter of opinion?

PRESIDENT: The official member has already stated that the matter is engaging the serious attention of Government.

MR. K. R. ELENKATH (*Kalkulam I*): When was the tariff value last revised?

MR. C. O. MADHAVAN (*Excise Commissioner*): I said it was revised in Karkatakam 1106.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether the tariff value or the market value is taken for statistical purposes?

MR. C. O. MADHAVAN (*Excise Commissioner*): We are now adopting the tariff value for statistical purposes.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether the figures relating to the balance of trade for 1107 are accurate?

MR. C. O. MADHAVAN (*Excise Commissioner*): They cannot be quite accurate because the tariff value differs from the market value.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member the method followed by the British Indian Government in regard to this?

MR. C. O. MADHAVAN (*Excise Commissioner*): I claim notice.

Persons trained in the Sri Mulam Technical School.

136. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) how many students have passed the Mechanical Fitter's Examination of the Sri Mulam Technical School, Trivandrum; and

(*b*) whether the students who have passed the examination are not to be appointed under the Director of Industries and in the P. W. D?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): (*a*) 37.

(*b*) They will be preferred for appointment if suitable vacancies arise.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether any of them has applied for appointment in the Industrial Department or in the Public Works Department?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): In regard to the Industrial Department, there have been some applications.

MR. S. J. NAIR (*Nedumangad*): May I know whether anybody has applied for appointment in the Public Works Department?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): I have no information, Sir.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): On a point of order. In the question it is definitely asked about the Public Works Department and can the Government put forward a member who cannot answer anything relating to the Public Works Department? In part (*b*) of the question, the Public Works Department is specifically mentioned and the Government member who is standing up and answering is ignorant about that department. Is it allowable?

PRESIDENT: He ought to be able to furnish that information.

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Sir, I claim notice.

Persons trained in the Sri Mulam Technical School possessing Madras Government Technical Examination qualification.

137. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state whether there are, amongst those who have passed the Fitter's Examination of the Sri Mulam Technical School, persons who have passsed the Madras Government Technical Examination also?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Government have no information.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether anyone who has passed both the Examinations has applied for a post?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): I have already stated, Sir, that Government have no information.

Malayala Brahmins in the Judicial Department.

138. ***MR. T. S. JAYANTAN NAMBOOTIRI** (*Travancore Jenmies, North*): Will the Government be pleased to state:

(*a*) the number of Malayala Brahmins holding permanent posts in the Judicial Department; and

(*b*) if any, the name and pay of each?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) & (*b*) Nil.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): അപേക്ഷകന്മാരില്ലാതിരുന്നതുകൊണ്ടാണോ ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറിൽ മലയാളബ്രാഹ്മണരെ ഇതേവരെ നിയമിക്കാതിരുന്നതു്?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): അപേക്ഷകന്മാർ ഉണ്ടായിരുന്നിരിക്കാം. അവർക്കു ഉദ്യോഗം ഒന്നും കിട്ടിയില്ല.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): ജുഡിഷ്യൽ ഡിപ്പാർട്ടുമെൻറിൽ ഉദ്യോഗംകൊടുക്കാതെ ഈ ഒരു സമുദായത്തെ ഒഴിവാക്കിനിർത്തുന്നതിന് വല്ല പ്രത്യേക കാരണവുമുണ്ടോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): അങ്ങിനെ പ്രത്യേകം ഒഴിവാക്കിയിരിക്കയല്ല. മററുള്ള സമുദായങ്ങളുടേയും മലയാളബ്രാഹ്മണ സമുദായത്തിൻേറയും അവകാശങ്ങളെപ്പററി ഗണിച്ചാണ് നിയമനം നടത്തുന്നതു്.

MR. T. S. JAYANTAN NAMBOOTIRI (*Travancore Jenmies, North*): ഇതുവരെ മലയാളബ്രാഹ്മണർക്കു് ജുഡിഷ്യൽഡിപ്പാർട്ടുമെൻറിൽ യാതൊരു ഉദ്യോഗവും നൽകാതിരിക്കുന്നതിനുള്ള കാരണം എന്താണ്?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): മലയാളബ്രാഹ്മണ സമുദായത്തെക്കാൾ കൂടുതൽ ജനസംഖ്യയുള്ള മററനേകംസമുദായങ്ങൾ ഉണ്ട്. അവരുടെ അവകാശങ്ങളെ അവഗണിച്ചിട്ട് മലയാളബ്രാഹ്മണക്കു ഉദ്യോഗം കൊടുക്കാൻ നിവൃത്തിയില്ല.

Geography Text Book.

139. ***MR. A. EASWARA PILLAI** (*Kottarakara*): Will the Government be pleased to state in regard to the prescription of Mr. K. M. Joseph's Geography book as a Text Book;—

(*a*) (i) whether it is a fact that the book was sent to the Government instead of to the Director of Public Instruction and that long after the time fixed for sending books;

(ii) if so, the date when the book was received by the Government;

(*b*) (i) whether the Government, after receiving it, directed the Director to select it as a Text-Book;

(ii) if so, why they did so in spite of its receipt after the time fixed;

(*c*) whether the Director declined to prescribe it as a Text Book pointing out thousands of mistakes found in the book;

(*d*) (i) whether the author then corrected the mistakes pointed out and sent the corrected book to be printed;

(ii) if so, how the author came to know of the fact that the Director pointed out mistakes and at whose instance this was done

(*e*) (i) whether the Government directed, even when the book was being printed, the Director of Public Instruction to prescribe the book as a Text-Book;

(ii) if so, whether it was not against the rules guiding the prescription of Text Books; and

(*f*) (i) whether the Director declined to do so until he was satisfied that the mistakes were rectified and the book printed; and

(ii) if so, who prescribed the book?

MR. R. M. STATHAM (*Director of Public Instruction*); (*a*) (i) and (ii) No. The book was received in time for prescription.

(*b*) (i) and (ii). This does not arise in view of the answer to part (*a*).

(*c*) The Director pointed out a few mistakes and reported that he could not recommend the book as it was.

(*d*) (i) Yes.

(ii) No information is available about this.

(*e*) (i) The answer is in the negative.

(ii) This does not arise in view of the answer to part (e) (i).

(*f*) (i) and (ii) The book was prescribed by Government on the definite condition that the mistakes should be rectified.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether any book on Geography was sent which had no mistakes at all?

MR. R. M. STATHAM (*Director of Public Instruction*) : Several books on Geography were sent for consideration, but I cannot say whether they had no mistakes.

Maintenance of the Panmana road.

140. ***MR. M. K. MADHAVAN PILLAI** (*Karunagapalli*) : Will the Government be pleased to state whether they have taken any action with regard to the maintenance of the Panmana road, about which the attention of the Government was drawn at the 18th and the 25th sessions of the Sri Mulam Popular Assembly ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : No action has been taken as the condition of the road as opened by the people is not satisfactory. The question of taking the road under departmental maintenance can be considered only after the road is completed in conformity with the rules regarding Ryots' Roads.

The Pattuveli bridge on the Karunagapalli—Thazhava road.

141. ***MR. M. K. MADHAVAN PILLAI** (*Karunagapalli*) ; Will the Government be pleased to state;

(*a*) when the construction of the Pattuveli bridge on the Karunagapalli—Thazhava road was completed ; and

(*b*) when it collapsed ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) In Dhanu 1106.

(*b*) During the heavy rains of 14-1-1108.

Construction of a bridge at Thottapally.

142. ***MR. M. K. MADHAVAN PILLAI** (*Karunagapalli*) : Will the Government be pleased to state whether they have taken any action with regard to the construction of the bridge at Thottapally in pursuance of the promise made at the 26th session of the Sri Mulam Popular Assembly.

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : Yes. An estimate has been sanctioned, but it is reported that it requires modification.

Transfer of Registration Jurisdiction.

143. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*) : Will the Government be pleased to state ;

(*a*) whether representations have been made by the inhabitants of the Kilimanoor and Pazhayakunninmel *pakuthies*, Chirayinkil taluk, that those *pakuthies* may be transferred from the jurisdiction of the Chadayamangalam Sub-Registry Office to that of the Nedumangad Additional Sub-Registry Office, Vamanapuram : and

(*b*) if the answer to part (*a*) is in the affirmative, the steps taken on such representations?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : (*a*) Yes.

(*b*) The Director of Registration has given an endorsement to the petitioners that the matter will be considered when the existing temporary offices are made permanent.

Appointment of ladies in the High Court.

144. * **MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to state:

(*a*) the number of ladies employed in the High Court, either as clerks or as typists; and

(*b*) how many Ezhavas there are in that group?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Three ladies are employed as clerks and one as Ag. typist.

(*b*) None.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member the communities to which the three ladies employed in the High Court belong?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I believe one is a Nair and the others are Christians. Definite information is not available now.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether Government have received applications from Ezhava ladies?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, there may have been applications from them.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know the earliest date of such applications?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether there is any special reason why Ezhava ladies are not appointed in the Judicial Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): None.

C. I. D. Sub-Inspectors in the Excise Department.

145. * **MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) whether two Sub-Inspectors are appointed in the Excise Department on special duty as C. I. D.'s to detect cases;

(*b*) when the appointment was so made;

(*c*) the number of cases detected by each of them till 1-1-1109;

(*d*) whether they have been given peons; and

(*e*) the amount of profit realised by the detection work?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) They have been appointed on special duty to prevent the smuggling of beedi tobacco and other dutiables and to detect malpractices in the State.

(*b*) 1st Kumbham 1108.

(*c*) Government do not think it advisable to furnish information on this point.

(*d*) Yes. One peon each.

(*e*) No separate accounts are maintained in respect of the profit accruing from the detection work.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : In regard to answer to part (*a*), may I know who was doing the duty of preventing smuggling before the appointment of these two Inspectors?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : The ordinary Inspectors.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know whether any special circumstance was brought to the notice of Government insisting upon the appointment of a special staff for preventing this smuggling?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : The Excise Commissioner recommended the appointment and said that the appointment of two separate Inspectors would be more beneficial.

M. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know what was the area that was affected by the smuggling?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : I believe, it was the northern parts of Travancore.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : So, am I to take it that Government sanctioned the appointment without taking into consideration the actual necessity and knowing the incapacity of the Inspectors to prevent smuggling?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): No incapacity was proved.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Did Government ask the Excise Commissioner the necessity for appointing such Inspectors when he made the recommendation?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : There was no such necessity for asking that.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): So, am I to take it that Government, without requiring the Excise Commissioner to explain why he made such a recommendation for additional staff, came to the conclusion that the appointment is necessary?

PRESIDENT : The answer, as I understand from the member, is that the Excise Commissioner recommended the staff on certain grounds and Government accepted the grounds and sanctioned the recommendation.

MR. K. KUNJUKISHNA PILLAI (*Quilon I*): May I know what are the grounds urged by the Excise Commissioner for the appointment of the staff?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether any separate jurisdiction has been given to these two Inspectors?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No separate jurisdiction has been assigned to them.

Acting undergraduate clerks in the Registration Department.

146. * **MR. K. MAHOMED** (*Alwaye*): (*a*) Will the Government be pleased to lay on the table a statement, by caste, showing the number of undergraduate clerks who have put in less than 15 years' service and who have passed the Registration Test and been exempted from the disqualification of being appointed as Sub-Registrars?

(*b*) Of these how many from each caste are given promotion as Sub-Registrars by the present Director of Registration?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):
(*a*) Nairs 2
Christian 1.
Mahommedan 1.
(*b*) One Christian.

Appointment of Muslims in the Judicial Department.

147. * **MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) whether there is any Standing Order from the High Court to the effect that, in the matter of appointments, preference should be given to Muslims; and

(*b*) how far it is brought into practice?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):
(*a*) The answer is in the negative
(*b*) In view of the answer to (*a*), this does not arise.

Seniority in the ministerial staff of the Judicial Department.

148. * **MR. EDAVANATT S. PADMANABHA MENON** (*Shertala I*): Will the Government be pleased to state whether the question of seniority among several candidates is determined in the Judicial Department by the priority of confirmation in a particular grade?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, if the qualifications are equal.

Southern Market bridge at Kayankulam.

149. * **MR. M. K. MADHAVAN PILLAI** (*Karunagapalli*): Will the Government be pleased to state:

(*a*) the date on which the Chief Engineer or the Government got information of the collapse of the southern market bridge at Kayankulam:

(*b*) whether they propose to construct a new bridge there;

(*c*) whether any estimates have been called for; and

(*d*) whether the work will be taken in hand immediately or in the near future?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) The bridge did not collapse but was closed for traffic on 2-8-26/18-12-1101 as one set of piles was found badly exposed and it was considered unsafe to allow traffic over it.

(*b*) Yes.

(c) There is already an estimate sanctioned by Government, but the Chief Engineer proposes to change the design.

(d) The work can be taken up this year itself as soon as the fresh design under preparation is approved and the revised estimate sanctioned by Government. The work has budget provision to the extent of Rs. 5,000 and the required lands have already been acquired.

The Travancore State Manual.

150. *MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): Will the Government be pleased to state:

(a) whether copies of the Travancore State Manual are available for sale;

(b) when it was published;

(c) whether it has been brought up-to-date; and

(d) the amount of money expended by Government on the compilation and publication of the State Manual?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(a) No.

(b) and (c) 28 years ago and as such needs revision.

(d) Rs. 36,559-10-7.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know whether Government are aware that the Mysore Government have revised and brought up-to-date the State Manual there?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I accept the information furnished by the member.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know whether there are demands from people for copies of the State Manual?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Not very large. Occasionally we get requisitions for copies of the Manual

Accommodation in passenger trains, South Indian Railway.

151. *MR. M. K. MADHAVAN PILLAI (*Karunagapalli*): Will the Government be pleased to state whether the South Indian Railway provide necessary accommodation in passenger train services on occasions of festivals such as His Highness the Maha Raja's Birthday, Pooja Eduppu, and Arat?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes. Daily trains are strengthened by attaching extra carriages and also by running specials if passenger traffic warrants it.

Appointment of undergraduate clerks of the Police Department as Inspectors.

152. *MR. M. N. NAIR (*Kottayam I*): Will the Government be pleased to state:

(a) whether they have received memorials from the undergraduate clerks of the Police department praying for exemption from

[Mr. M. N. Nair.]

the G. O. prohibiting the appointment of undergraduate clerks as Inspectors of Police, either direct or through the Commissioner of Police;

(b) who were the memorialists;

(c) what were the recommendations of the Commissioner in the case of each:

(d) whether his recommendations were based on those of the District Superintendents of Police who forwarded them to the Commissioner in all cases;

(e) if he has differed in any case, his reasons for adopting a different principle in regard to some; and

(f) the respective dates on which he received each of the memorials and the dates on which he forwarded them to the Government?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): (a) Yes.

(b) Messrs. S. Nuhukhan, clerk, Police Commissioner's office; P. Krishna Pillai, clerk, District Police Office, Trivandrum; V. Sankara Pillai, Head Accountant, District Police office, Kottayam K. S. Arunachalam Pillai, clerk, Traffic Superintendent's office, Trivandrum; T. Oomman Tharakan and K. N. Viswakarma, clerks, District Police office, Kottayam.

(c) The recommendations made by Heads of Departments are treated as confidential and cannot be disclosed.

(d) and (e) These questions do not arise in view of answer to part (c).

(f) Name of clerk.	Date of receipt by the Commissioner.	Date of despatch to Government.
1 Mr. S. Nuhukhan.	10-4-1933	1-5-1933
2 Mr. P. Krishna Pillai	11-4-1933	1-5-1933
3 Mr. V. Sankara Pillai	13-4-1933	18-9-1933
4 Mr. K. S. Arunachalam Pillai	4-5-1933	8-5-1933
5 Mr. T. Oomman Tharakan	1-7-1933	10-7-1933
6 Mr. K. N. Viswakarma	29-8-1933	4-10-1933

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know what was the final order on these memorials?

PRESIDENT: This supplementary question goes beyond the purview of the rules.

MR. M. SIVATANU PILLAI (*Tovala*): I rise to a point of order. I wish to know whether a member who proposes to answer on behalf of Government has the power to say that an answer is confidential or not unless the Chair rules it so.

PRESIDENT: The member gives the answer on the authority of the Government; and if the Chair finds that the answer is not proper, the Chair can rule that the information must be furnished.

Export duty on cocoanut products.

153. ***MR. M. N. NAIR** (*Kottayam I*): Will the Government be pleased to state the earliest date on which export duty on copra and cocoanuts was first levied in Travancore?

MR. C. O. MADHAVAN (*Excise Commissioner*): This information is not available.

Export duty on cocoanut products.

154. ***MR. M. N. NAIR** (*Kottayam I*): Will the Government be pleased to state whether export duty on cocoanuts and copra is levied as a fiscal measure or for revenue purposes?

MR. C. O. MADHAVAN (*Excise Commissioner*): Partly for revenue purposes and partly for affording protection to the cocoanut oil industry in the State.

The Krishnanvaga community and Government service.

155. ***MR. A. EASWARA PILLAI** (*Kalkulam II*): Will the Government be pleased to lay on the table a statement showing the number of members of the Krishnanvaga community in Government service, separately for each department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government do not propose to call for the information required by the member as the time and labour involved are out of all proportion to its possible utility.

Village Panchayat Court at Edappalli.

156. ***MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Government be pleased to state:

(*a*) whether there is any representation for opening a Village Panchayat Court at Edappalli:

(*b*) whether the Law's Delays Commissioner has received any representation in the matter; and

(*c*) if so, what the decision is?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Government have no information.

(*c*) The High Court who were consulted in the matter expressed the opinion that a Village Panchayat Court at Edappalli was unnecessary. Government accepted the opinion of the High Court.

Recruitment of Police Inspectors.

157. ***MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) the principle adopted in the recruitment of Police Inspectors; and

(*b*) the percentage of promotions—

(1) from the lower ranks of the Police; and

(2) from the clerical establishment or ministerial staff?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): (*a*) The rule is that 75 per cent. of the Inspectors' posts should be filled up by recruitment of graduates, the remaining 25 per cent. being reserved for promotion by selection of deserving men from the rank of Head Constables.

[Rao Bahadur N. Ramanuja Aiyangar.]

(b) (1) The member is referred to answer to part (a).

(2) Graduate clerks alone have been declared eligible for appointment as Inspectors of Police. Non-graduate clerks, specially exempted from the operation of the rule confining recruitment as Inspectors to graduates, and members of the lower executive staff of the Police Department are also appointed occasionally. No percentage has been fixed for such appointments.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether the graduate clerks in the Department are included in the 75 per cent. or not?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*). They are included, of course.

Qualification for Sub-Registrar's post.

158. * **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(a) the minimum general qualifications for a Sub-Registrar's post;

(b) whether Government have exempted any from general qualifications; and

(c) the number of applications received for exemption.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(a) Graduates with the requisite Departmental Examination qualification and non-graduates who hold the E. S. L. C. pass certificates, provided they have passed the Departmental Examination, who are quite efficient and have a service of not less than 15 years.

(b) Yes.

(c) 17 applications.

Graduates in the Muvattupuzha taluk.

159. * **MR. K. M. KURIAKOSE** (*Muvattupuzha II*): Will the Government be pleased to state:

(a) the number of employed and unemployed graduates in the Muvattupuzha taluk according to the latest information;

(b) how many applications have been received from graduates of the Muvattupuzha taluk for Government jobs in the years 1108 and 1109 and

(c) how many of them have been appointed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (a) (b) and (c) It is not possible to collect the information required by the member.

The Neriamangalam bridge.

160. * **MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Government be pleased to state

(a) the names of those who submitted tenders for the construction of the Neriamangalam bridge;

(b) the name of the company or the contractors to whom the work has been given;

(c) whether they have executed any agreement for undertaking the work;

(d) if the answer to part (c) is in the negative, what is the reason;

(e) if the answer to part (c) is in the affirmative, whether the Government will be pleased to lay on the table a copy of the same; and

(f) whether it is the practice to give contracts without executing any agreement?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (a) *For Steel Bridges.*

1. Messrs. Braithewaits & Co., Ltd.
2. P. I. Gopalan Nair, Contractor, Alwaye.
3. Mackenzies Ltd, Georgetown, Madras.
4. Gannon Dunkerly Ltd., 289, Linghi Chetty Street, Madras.
5. A & J Main & Co., Ltd, 10 Clive Steet, Calcutta.
6. Harrisons & Crosfield Ltd., Quilon.
7. Jessop & Co., Ltd., 93 Clive Street, Calcutta.
8. Marbus & Co., Nagercoil.
9. Burn & Co., Ltd., Howrah.
10. N. O. Francis, Contractor, Thiruvella.
11. C. U. Varkey, Contractor, Kozhencherry, Alwaye.
12. P. I. Mohamed, Contractor, Alleppey.
13. N. K. S. Muthuswamy Karayalar, Shencottah.

For R. C. Bridges.

1. Motichand & Co., Bombay.
2. The Bombay Engineering Company, Bombay.
3. Bird & Co., Calcutta.
4. The General Construction Company Ltd., Madras.
5. J. C. Gammon & Co., Ltd., Bombay.
6. The Mawson Vernon & Co., Ltd., Bombay.

(b) The General Construction Co., Ltd.

(c) The company have signed the draft agreement, though it has not been executed on stamp paper.

(d) Some plans have yet to be supplied by the contractors to form an enclosure to the agreement.

(e) This question does not arise in view of the answer to part (c).

(f) No.

MR. T. K. ALEXANDER (*Kunnatnad I*): When was the draft agreement signed?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I have to look into the papers; therefore I claim notice.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolam*): Why was the agreement not executed on a stamped paper.

MR. G. B. E. TRUSCOTT (*Chief Engineer*): The answer has already been furnished. Certain drawings have yet to be supplied by the contractors. The final agreement has not yet been executed; and when the time comes for that, stamp paper will become necessary.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolam*): My question was why the draft agreement was not executed on a stamp paper.

PRESIDENT: According to the answer furnished by the Chief Engineer, no final agreement has yet been come to. Some plans have yet to be supplied to by the contractors to complete the agreement. As soon as they have been furnished, a regular document will be prepared which will be on a stamped paper. That is how I understood the answer.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolam*): May I know why even the draft agreement was not executed on a stamp paper?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Only final agreements are executed on stamp paper.

The Nagercoil distillery.

161.* **MR. G. NILAKANTAN** (*Nominated*): Will the Government be pleased to state:

(*a*) the strongest proof spirit capable of being out-turned from the Nagercoil distillery;

(*b*) the percentage of alcohol contained in the above spirit and in the rectified spirit imported from outside;

(*c*) the comparative prices of each kind of spirit; and

(*d*) whether it is a fact that industries depending on the use of alcohol suffer on account of the inability of the department to supply spirit of requisite strength?

MR. C. O. MADHAVAN (*Excise Commissioner*): (*a*) 40° O. P.

(*b*) 79·9 by volume, while in rectified spirit it is 90·01 by volume.

(*c*) The price of 40° O. P. spirit manufactured here is Bh. Rs. 2-1-9 per proof gallon. Information is not now available about the price of rectified spirit imported from outside.

(*d*) Government are not aware.

Manufacture of arrack.

162.* **MR. G. NILAKANTAN** (*Nominated*): Will the Government be pleased to state if it is under contemplation of Government to manufacture arrack from the treacle obtained as a by-product in the manufacture of sugar?

MR. C. O. MADHAVAN (*Excise Commissioner*): The answer is in the affirmative.

Kammalas in the Police Department.

163.* **MR. G. NILAKANTAN** (*Nominated*) : Will the Government be pleased to state the number and nature of posts held by Kammalas in the Police Department?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*) : Twenty of whom one is clerk, one is typist, two are Head Constablse and the remaining sixteen are Constables.

Purchase of Malayalam wall maps.

164.* **MR. A. THANU PILLAI** (*Trivandrum-Rural*) : Will the Government be pleased to state :

(*a*) the amount spent by the Education Department during the year 1108 for the purchase of Malayalam wall maps of Travancore for use in the Departmental Vernacular Schools;

(*b*) the names of the publishers of the maps purchased ;

(*c*) the number and dates of Government orders prescribing these maps for use in schools , and

(*d*) whether any maps were purchased which had not been prescribed by Government ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

(*a*) Rs. 1,396-11-0

(*b*) 1. Mr. R. Brahmanayagom Pillai, Trivandrum,
2. The Vani Vilas Publishing House, Karamanai,
3. Mr. T. S. Nelliappa Aiyar, Nagercoil.

(*c*) The map published by Mr. Brahmanayagom Pillai has been prescribed for use in schools by the Government in their D. Dis. No. 739 of 28/Edn., dated the 4th August 1928. The other two maps have not been prescribed for use in schools.

(*d*) Yes.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know who was responsible for purchasing maps which had not been prescribed for Vernacular Schools?

MR. R. M. STATHAM (*Director of Public Instruction*) : Several Assistant Inspectors and Assistant Inspectresses of Schools and the Inspector of Vernacular Schools.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Am I to understand from the member that the responsibility for that is to be shared by the several Assistant Inspectors and Inspector of Vernacular Schools or by several Assistant Inspectors under the direction of the Inspector of Schools?

MR. R. M. STATHAM (*Director of Public Instruction*) : There were various reasons why the maps which had not been prescribed by the Government were purchased. In the first place, there was some litigation which prevented the purchase of the prescribed maps. Secondly, there was some misunderstanding of the Government order; and thirdly, the Government order was overlooked by some subordinates. An explanation was called for from the subordinates as to why they purchased

[Mr. R. M. Statham.]
the maps which had not been prescribed and that explanation was accepted by Government.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know from the member whether these reasons acted conjointly in every case or separately in individual cases?

MR. R. M. STATHAM (*Director of Public Instruction*) : They acted separately in different cases.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know what difficulty there was in understanding the Government order by the subordinates? May I know whether Government ascertained how officers misunderstood the Government orders and as a consequence explanations were taken?

MR. R. M. STATHAM (*Director of Public Instruction*) : I have already said that explanations were taken from the subordinates and accepted by Government.

Education Committee proposals.

165.* **MR. PUTHUPALLI S. KRISHNA PILLAI** (*Quilon II*) : Will the Government be pleased to state :

(*a*) whether they have considered till this date (17-3-1109) any of the recommendations made in the report of the Travancore Education Committee;

(*b*) whether, if they have considered, they have accepted any and if so, which of them;

(*c*) whether the addition of staff in the Director's office recommended in the report has been sanctioned by Government; and

(*d*) whether any appointments have been made and, if so, with what cost to Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*), (*b*) & (*c*) The member is referred to the answer to Question No. 42 by Mr. S. Chattanatha Karayalar (*vide* page 177 of the Sri Mulam Assembly Proceedings dated the 18th November 1933).

(*d*) Yes. The post of a Deputy Director of Public Instruction has been created. The present incumbent is allowed to draw a salary of Bh. Rs. 900 per mensem which he was drawing as Principal of the Arts College.

MR. K. R. ELENKATH (*Kalkulam I*) Is it in conformity with the recommendation of the Committee that the post of a Deputy Director has been created?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know what was the pay fixed by the Committee for the Deputy Director?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Rs. 300 to 600. But the Committee had also suggested that a senior officer in the Education Department should be appointed as Deputy Director in the first instance, so that he may become fit to take the place of the Director when the present incumbent leaves the service,

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Since Mr. Karayalar's question was answered, may I know whether any recommendation of the Committee has been sanctioned by Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The question relates only to the recommendations made till 17-3-1109.

Ramangalam Pakuthi Office building.

166. ***MR. K. M. KURIAKOSE** (*Muvattupuzha II*): Will the Government be pleased to state:

(*a*) whether they are aware of the damaged condition of the Ramangalam Pakuthi Office building and

(*b*) if so, what steps for the rebuilding of the same have been taken?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) Government are aware that certain repairs to the building are necessary.

(*b*) The Executive Engineer, Alwaye, has been asked to carry out the necessary repairs.

Wearing of Inspector's uniform by Head Constables in charge.

167. ***MR M. SIVATANU PILLAI** (*Tovala*): Will the Government be pleased to state:

(*a*) whether there is any standing order in the Police department prohibiting Inspector's uniforms being worn by Head Constables in charge or acting in the place of Inspectors

(*b*) whether the Station House Officer and Head Constable Mr. M. Govinda Pillai has been exempted from such standing order and, if so, on what grounds and

(*c*) whether there has been any application from any other Head Constable in charge of a police station for permission to wear Inspector's uniform; and if so what has become of it?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): (*a*) No. The orders are that acting men should wear the uniform of their permanent rank.

(*b*) No.

(*c*) Yes. It has been lodged.

Accommodation for the Padmanabhapuram Additional Munsiff's Court.

168. ***MR. A. EASWARA PILLAI** (*Kalkulam II*): Will the Government be pleased to state:

(*a*) whether the Additional Munsiff's Court at Padmanabhapuram is held in a rented building;

(*b*) if the answer to part (*a*) is in the affirmative, the annual rent of the building;

[Mr. A. Easwara Pillai.]

(*c*) whether, in view of the fact that the premises of the Principal Munsiff's Court at Padmanabhapuram are large enough to accommodate the Additional Munsiff's Court also, there was a proposal to construct a building there for the Additional Munsiff's Court:

(*d*) whether they have called for a plan and estimate for the purpose; and

(*e*) whether they propose to begin the construction of the building in the near future?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Rs. 540.

(*c*) Yes.

(*d*) Yes.

(*e*) The question of the construction of a building can be decided only after the proposals relating to the re-distribution of the territorial jurisdiction of the several Courts of the State have been received from the High Court and orders passed thereon.

MR. A. EASWARA PILLAI (*Kalkulam II*): May I know the estimated cost of the new building?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether there is any proposal from the High Court before Government regarding the re-distribution of the Padmanabhapuram Munsiff Court's jurisdiction?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

The Village Panchayat Court at Eraniel.

169. ***MR. A. EASWARA PILLAI** (*Kalkulam II*): Will the Government be pleased to state whether they propose to extend the jurisdiction of the Village Panchayat Court at Eraniel by adding more *pakuthies* to it?

RAS SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There is no such proposal.

MR. A. EASWARA PILLAI (*Kalkulam II*): May I know whether there were any applications for extending the jurisdiction of the Village Panchayat Court?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

PRESIDENT: Mr. T. K. Alexander.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, I rise to a point of order. The answer to the previous question presupposes that the member in charge ought to have come prepared for relevant fur-

ther questions arising out of it. The question asked here directly arises from the answer given by the member in charge of the original question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I rise to a point of order. Can a point of order be raised on a question that has been asked and disposed of after another question has been called up?

PRESIDENT : Perhaps not.

MR. K. R. ELENKATH (*Kalkulam I*): May I know the number of cases that have come up for disposal in the Village Panchayat Court?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

Policy of the Excise Department.

170. ***MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Government be pleased to state:

(*a*) whether the policy of the Excise Department is directed to the attainment of prohibition;

(*b*) the percentage of decrease in the number of shops and trees tapped for toddy for the last five years?

MR. C. O. MADHAVAN (*Excise Commissioner*): (*a*) The policy of the Excise Department is the promotion of temperance and the attainment of gradual prohibition.

(*b*) Percentage of decrease or increase in the number of shops.

	Toddy		*Arrack*	
1104	4·05	(decrease)	6·46	(decrease)
1105	Nil		Nil	
1106	5·21	(decrease)	9·14	(decrease)
1107	0·26	(increase)	2·25	(increase)
1108	3·31	(decrease)	8·45	(decrease)

Percentage of decrease or increase in the number of trees tapped for toddy.

1104	9·31	(increase)
1105	4·39	(decrease)
1106	32·38	(Do.)
1107	7·03	(Do.)
1108	5·65	(increase)

MR. M. SIVATANU PILLAI (*Tovala*): May I know the answer to the first part of the question? I was not able to hear it when the official member answered it.

MR. C. O. MADHAVAN (*Excise Commissioner*): The policy of the Excise Department is the promotion of temperance and the attainment of gradual prohibition.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know whether Government have a definite plan before them to attain prohibition?

MR. C. O. MADHAVAN (*Excise Commissioner*): Government have given an undertaking in one of the former sessions of the Council that during every contract there will be a reduction of 5 per cent. in the number of toddy and arrack shops.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Is that practice kept on now?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes.

LEGISLATIVE BUSINESS.

THE TRAVANCORE EDAVAGAI BILL—(*contd.*)

PRESIDENT: The Assembly will now resume discussion of the motion of the Law Member that the Travancore Edavagai Bill be taken up for consideration.

Before, however, I call upon any member to speak, I wish to appeal to the House to help me in getting through the proceedings as quickly as possible. The House is well aware that there are only three days that have been set apart for legislation. We have already spent a day and a half and what remains is therefore the remaining moiety. I am aware that the Rules do not lay down any time limit for speeches in regard to legislation. But it is open to the Chair to watch the discussions and ask the member to abbreviate his speech if there is any repetition or irrelevant matter introduced. I shall certainly not at once lay down any time limit arbitrarily. I shall certainly watch the proceedings and if it is found necessary, I shall perhaps be constrained to lay down a time limit. As an instance of the manner in which the discussion has gone on, I may perhaps draw the attention of the House to the fact that one honourable member who began his speech yesterday has not yet concluded it and I am not sure for how long he is going to occupy the House. My purpose in asking the House to help me in this respect is to enable other members who might wish to speak to have a chance For if at the end of the third day there is very little chance for other members to speak, it may become necessary for the Chair to hustle through the proceedings, which I should certainly discard. And therefore I am appealing in all sincerity to the members of the House to help me, to cut short their speeches as far as possible: but let it not be understood that I am curtailing the freedom of speech nor am I asking them to be as brief or to be brief with a vengeance. They should certainly be allowed all opportunity to place before the House such points as they regard as important. My only request to them is that they should be as brief as possible in their observations and not lengthen the speeches for unnecessarily long time. With these few observations I hope I shall have the assistance of the House in getting through all legislative business that has been placed before the House for disposal in the course of the three days. I think I must call upon Mr. Thanu Pillai to resume his speech.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I shall refer and that, as briefly as I can, only to a few more facts that I think will be of help to the House in arriving at a conclusion as to the course to be adopted in regard to the Edavagai Bill. I was dealing with the question of levying a price for the land in the possession of persons who are already land-holders. I wish to make an observation with a view to remove a misconception. Even though the term *taravila* is used, it should be distinctly understood that it is quite different from the *taravila* levied by Government on *puduval* lands at the time of their registry. When a *puduval* land is newly registered, it is but proper that *taravila* is levied. But the provision that I oppose in the present Bill is the one for the levy of *taravila* or any price in respect of holdings which are actually held by a tenant. There is that important distinction which has to be kept in view.

Then I referred to the complicated provisions made by the Select Committee because of the introduction of the levy of *taravila*. For instance, when a tenant is in occupation and has made improvements and if a price is to be taken from him before he is given permanent occupancy rights and if he is not willing to pay that price, he has to be evicted. That has necessitated the making of a number of provisions. In such a case, the land-holder has to be allowed to continue till his term runs out and till he is paid the value of his improvements. In the face of these complications, I do not know how many holdings are likely to be settled.

There are also certain other matters which ought to be considered Regarding the levy of *melvaram*, so far as I can see, I was not able to get at sufficient information of the right of the Chiefs. In one Edavagai, the representative of the Chief said that no *melvaram* was levied. In order to arrive at the right conclusion, evidence ought to have been taken and unfortunately that was not done.

So, Sir, without taking any more time of the House, I say that the levy of *taravila* according to me is highly unjust and if the House agrees with me in that view, then the whole Bill has to be redrafted and it must certainly go back to the Select Committee. Equal treatment should be accorded to the land-holders of all Edavagais and to the Chiefs of all Edavagais. If that is accepted, then also the Bill should go back to the Select Committee. Some other matters to which I have referred may be dealt with even without the Bill being sent back.

This is a piece of legislation that is not going to directly affect the entire State, but only limited areas; and in a matter like this, the duty resting on the House is by no means less than its duty in respect of a legislation that has to affect the whole country. I have nothing to do with the Poonjar or Vanjipuzhai Edavagais except as a member of the State of which these Edavagais form part and so also are the majority of the other members. Only a very few members may have more direct or personal interest in the questions involved. So I particularly appeal to the members of the House to consider well before they come to a conclusion in respect of this matter. With these words, I strongly support Mr. Kunjukrishna Pillai's motion.

MR. S. J. NAIR (*Nedumangad*) : Sir, I oppose this amendment that has been moved to recommit the Bill as redrafted by the Select Committee.

(At this stage the President left the Chair and the Deputy President presided.)

MR. S. J. NAIR (*Nedumangad*) : The Bill as presented to this House after having been redrafted by the Select Committee would clearly show that the honourable members of the Select Committee have discharged their onerous duties most satisfactorily. A study of the Bill that is presented to this House now would clearly show that they have taken into consideration not only the interest of the tenants in the Edavagais but of the Chiefs as well. So far as the argument about the levy of *taravila* is concerned, Sir, it is not a novel thing. Under the Government the tenants are compelled to pay *taravila* at the rate of from Rs. 10 upwards to Rs. 150 and above per acre.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : May I know from the member on what kind of properties *taravila* is imposed by Government ?

MR. S. J. NAIR (*Nedumangad*) : By Government, *taravila* is levied on lands that are occupied and improved but not registered. And here in the Bill the maximum amount fixed per acre is Rs. 15 only.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Is it Rs. 15 per acre ?

MR. S. J. NAIR (*Nedumangad*) : Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Has the member read Clause 9 para 2 ?

MR. S. J. NAIR (*Nedumangad*) : I shall refer to the Bill and read it.

DEPUTY PRESIDENT : I dont think, Mr. S. J. Nair, you should take the trouble of reading that. You need not take the trouble of reading it over again. If you have information, you may give it. Questions intended to find out whether a particular member has read a particular section or not does not arise. You may proceed with the argument.

MR. S. J. NAIR (*Nedumangad*) : Under ordinary circumstances, only Rs. 15 is fixed as *taravila*. But under extraordinary circumstances, such as those mentioned in Section 9 of the Bill, I would remind the honourable member that a higher amount is fixed. That is reasonable and just. As for the *taravila* of Rs. 15 per acre, that too need be paid to the Chief only during the course of 10 years. But under the Government, we are compelled to pay, if it is below Rs. 250, in one amount and no instalment system is granted. Even in the case of *taravila*, I submit, Sir, the Select Committee have exercised a sense of responsibility and they have fixed it at the lowest amount.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : Does the honourable member think that an amount of Rs. 200 will be a fair rate of *taravila* if it is ordered to be paid in 500 instalments ?

DEPUTY PRESIDENT : That question need not be answered.

MR. S. J. NAIR (*Nedumangad*): Sir, the Bill as drafted by the Select Committee shows that the members of the Select Committee have taken the responsibility of studying the condition of the tenant as well as of the Chief alike and that they have rendered justice to both parties.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the Select Committee took evidence from either the tenants or the Chiefs?

MR. S. J. NAIR (*Nedumangad*): Sir, in reply to my friend I would submit that the representatives of the Chiefs as well as of the tenants of the Edavagais under consideration were present in the Select Committee as members, and such being the case there was no necessity on the part of the members of the Select Committee to take any evidence on the point. Even when we take into consideration the question of evidence, Sir, we have been watching very carefully the public press and no sort of agitation has yet taken place on the part of the tenants in the Edavagais as to the question that the *taravila* or the *melvaram* fixed was too heavy or they ought to be avoided or abolished.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether the Committee took the trouble of publishing the draft Bill in the Press?

MR. S. J. NAIR (*Nedumangad*): The Committee has published it as they should do under the law and if the tenants under the Edavagais were very particular to know the contents of the Select Committee's report, it was available for them or their representative in the Select Committee would have made it available on behalf of the tenants under the Edavagai. So it is evident from the circumstances that so far as the tenant's interests in the Edavagai are concerned, they have been very carefully safeguarded and as the Bill now stands, there is absolutely no sort of grievance or any sort of objection to be raised against the content of the Bill on the part of the tenants in the Edavagais.

MR A. S. DAMODARAN ASAN (*Mavelikara*): Has not the representative of the tenants written a dissenting minute?

DEPUTY PRESIDENT : I want an explanation on that question before I allow it. I have also been a member of the Select Committee; and so far as I know, there was no representative of the tenants as such on the Select Committee.

MR. K. R. ELENKATH (*Kalkulam I*): I would like to know from the Chair whether a member was not nominated as a member of the Assembly in his capacity as the representative of the tenants.

DEPUTY PRESIDENT : I am not bound to answer the question, and I do not propose to answer.

MR. K. R. ELENKATH (*Kalkulam I*): So far as I am able to understand, the particular member Mr. Govinda Menon was nominated as a representative of the tenants in the Edavagai.

MR. S. J. NAIR (*Nedumangad*): Then I would submit that it is said that levying of *taravila* has nothing to do with selling lands for a price. I think that it is too hard to say like that. For it is true, Sir, under the Government also lands are being actually sold for a price at present. If there is absolutely no complaint about the procedure adopted by Government, then I do not know how we are justified in raising any complaint with regard to the levy of a modest maximum *taravila* of Rs. 15 per acre so far as the lands in the Edavagais are concerned.

The reasons advanced by the learned mover and seconder are not convincing. These gentlemen, Sir, just to make a show that they are interesting themselves on behalf of tenants tried to put forward unconvincing arguments. As far as the trend of their arguments goes I humbly submit, Sir, their contentions do not carry any meaning.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I rise to a point of order. The insinuations suggested by Mr. S. J. Nair on members of this House can no longer be tolerated. I hope the Chair will protect the rights of the members of this House and uphold its dignity. The member is making unwarranted implications. You, Sir, as the custodian of the rights of this House will see that such a state of affairs does not exist.

DEPUTY PRESIDENT: You can only cite points and not explain. I do not find anything in Mr. S. J. Nair's speech to show that he is imputing any motives or suggesting anything wrong to the Select Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Not to the Select Committee.

DEPUTY PRESIDENT: I do not find any imputation and therefore I do not propose to answer the point of order.

MR. S. J. NAIR (*Nedumangad*): I am sorry my friend Mr. Kunjukrishna Pillai has misunderstood my arguments.

DEPUTY PRESIDENT: Kindly proceed with the arguments.

MR. S. J. NAIR (*Nedumangad*): Mr. Thanu Pillai in conclusion has appealed to the House that we must realise our responsibility and that we must take into consideration the fate of the tenants. I may remind my friend that you must take into consideration not only the fate of the tenants but the fate of the Chiefs in the Edavagais. There was a time when the Chief in an Edavagai was actually ruling the Edavagai. There was a time when the Chief was exercising the right of sovereignty in the land. Now due to historical accidents or circumstances, fortunately or unfortunately, the Chief is deprived of his sovereign rights. The fate of the Chief is such that he is only given a modest concession of levying the *taravila* of Rs. 15 per acre and that during the course of 10 years.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know, are they enjoying sovereign rights?

DEPUTY PRESIDENT: He never said that they are now enjoying.

MR. S. J. NAIR (*Nedumangad*): I am compelled to remind my friend that he must be more attentive.

DEPUTY PRESIDENT: No. Now I can't permit this. Now Mr. S. J. Nair will proceed with the argument if he has any.

MR. S. J. NAIR (*Nedumangad*): I submit, Sir, that the Bill as presented to us now must be proceeded with as no change need be made in it except to raise the dignity of the Chiefs in the other Edavagais. The amendment that I will suggest will be that the word "Edavagai" be added within brackets after the word Estate for the purpose of raising the dignity of the Chiefs in the other Edavagais. With these suggestions, I oppose the motion.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സർ, ഈ സഭയുടെ അംഗീകരണത്തിനായി സിലക്റ്റുകമ്മിററി സമർപ്പിച്ചിട്ടുള്ള ഇടവക ബില്ലിനെ നിരാകരിച്ച് ആയതു മറെറാരു സിലക്റ്റുകമ്മിററിയുടെ പര്യാലോചനക്കായി വീണ്ടും അയക്കേണ്ടതാണെന്ന് മാന്യമെമ്പർ മിസ്റ്റർ കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ള ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ള ഭേദഗതിയെ ശക്തിയായി എതിർക്കുവാനാണ് ഞാൻ ആരംഭിക്കുന്നത്. മിസ്റ്റർ കുഞ്ഞുകൃഷ്ണപിള്ളയുടേയും ഈ ഭേദഗതിയെ അനുകൂലിച്ച മാന്യസ്നേഹിതൻ മിസ്റ്റർ എ. താണു പിള്ളയുടേയും അഭിപ്രായങ്ങളിൽ അടങ്ങിയിട്ടുള്ള ന്യായവാദങ്ങളിൽ പ്രാഥമ്യവും പ്രാധാന്യവും അർഹിക്കുന്നതു ആദ്യബില്ലിലേയും സിലക്റ്റുകമ്മററി ഹാജരാക്കിയിട്ടുള്ള ബില്ലിലേയും തത്വങ്ങൾ വിഭിന്നങ്ങളാണെന്നുള്ളതാകുന്നു.

ഇങ്ങിനെ ഈ രണ്ടു ബില്ലുകൾക്കും ഭിന്നതയുണ്ടെന്ന് കാണിക്കുവാൻ രണ്ടു കാരണങ്ങളാണ് ഇവിടെ പ്രതിവാദിച്ചിട്ടുള്ളതു്. ആദ്യം അവതരിപ്പിച്ചിട്ടുള്ള ബില്ലിൽ കിളിമാനൂർ, ഇടപ്പള്ളി എന്നീ രണ്ടു ഇടവകകളെ ഉൾപ്പെടുത്തിയിട്ടില്ലെന്നും സിലക്റ്റുകമ്മററി അവതരിപ്പിച്ച ബില്ലിൽ ഈ ഇടവകകളെ ഉൾപ്പെടുത്തിയിട്ടുണ്ടെന്നും ഉള്ളതാണ് ഒന്നാമത്തെ കാരണം. രണ്ടാമത്തെ കാരണം തറവിലച്ചുമത്തി സ്ഥലം സ്ഥിരമായി പതിച്ചുകൊടുക്കണമെന്നുള്ള വ്യവസ്ഥയെപ്പററിയാകുന്നു. ഈ രണ്ടു സംഗതികളിലും പ്രാരംഭ ബില്ലിൽനിന്ന് സെലക്റ്റുകമ്മററിയുടെ ബില്ലിൽ എത്രത്തോളം വ്യത്യാസം വന്നിട്ടുണ്ടെന്നുള്ളതാണ് ഇവിടെ പര്യാലോചിക്കേണ്ടതു്. ഇതിൽ ആദ്യമായി ചിന്തിക്കേണ്ട വിഷയം കിളിമാനൂർ, ഇടപ്പള്ളി ഈ ഇടവകകളെ ഇതിൽനിന്നും ഒഴിവാക്കിയിട്ടുണ്ടോ, ഉണ്ടെങ്കിൽ എത്രത്തോളം, എന്നുള്ളതാണ്. പ്രാരംഭബില്ലിലെ ഒന്നാംവകുപ്പ് ൨-ാം പിരിവിൽതന്നെ പറഞ്ഞിട്ടുള്ളതു് "It extends to the Edavagais mentioned in the schedule" എന്നാണ്. ഈ ബില്ലിനോടു അനുബന്ധിച്ചിരുന്ന പട്ടികയിൽ വഞ്ചിപ്പുഴ ഇടവ

[Mr. T. P. Velayudhan Pillai]

കയ്യംപൂഞ്ഞാർ ഇടവകയും മാത്രമെ ഉൾപ്പെടുത്തിയിരുന്നുള്ളു. ഇപ്പോൾ സിലക്‌റ്റുകമ്മററി രൂപീകരിച്ചിട്ടുള്ള ബില്ലിലും ഈ ഇടവകകളെ സംബന്ധിച്ചാണ് സെററിൽമെൻറിന വേണ്ട വ്യവസ്ഥകൾ ചെയ്തിട്ടുള്ളത്. ഈ രണ്ടു, അതായതു പൂഞ്ഞാറും വഞ്ചിപ്പുഴയും ഇടവകളിൽമാത്രമേ സെററിൽമെൻറു നടത്തേണ്ടതായിട്ടും ഉള്ളു. സെററിൽമെൻറിനെക്കാൾ കൂടുതലായുള്ള വ്യവസ്ഥകൾ തനതു വസ്തുക്കളിൽ അന്യർ കയ്യേററംചെയ്യുന്നതിനെ സംബന്ധിച്ചാണ്. അതിലേക്കുള്ള വ്യവസ്ഥകൾ ഇടപ്പള്ളി, കിളിമാന്നൂർ ഈ രണ്ടു ഇടവകകളെക്കൂടി ഒരേ നിലയിൽ ബാധിക്കത്തക്കവണ്ണം സിലക്‌റ്റുകമ്മററി ബില്ലിൽ ൧൨-ാംവകുപ്പു കൂട്ടിച്ചേർത്തിട്ടുണ്ട്. ഇതു പ്രാരംഭബില്ലിനു വ്യത്യാസമായിട്ടുള്ളതല്ല.

രണ്ടാമത്തെ സംഗതി തറവിലചുമത്തി സ്ഥിരമായി പതിച്ചുകൊടുക്കണമെന്നുള്ള വ്യവസ്ഥയാണ്. ഇറക്കാരാണ്മ, അനുഭോഗം, തിരുവിളം മാറാപ്പാട്ടം മുതലായി സ്ഥിരഅവകാശവഴി അനുഭവിച്ചുവരുന്ന വസ്തുക്കളേയോ, ററിബാദ്ധ്യതയാൽ അനുഭവിച്ചുവരുന്ന വസ്തുക്കളേയോ സംബന്ധിച്ചു തറവില കൊടുക്കണമെന്നു സിലക്‌റ്റുകമ്മററിബില്ലിൽ നിർദ്ദേശിച്ചിട്ടില്ല. പിന്നെയൊ അത്ഥബാദ്ധ്യതയില്ലാതെ കേവലം വെൺപാട്ടമായി അനുഭവിച്ചുവരുന്ന ചുരുങ്ങിയ വസ്തുക്കളെ സംബന്ധിച്ചു തറവില ചുമത്തണമെന്നാണ് വ്യവസ്ഥ ചെയ്തിട്ടുള്ളത്.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know what the member means by "ചുരുങ്ങിയ വസ്തു"?

DEPUTY PRESIDENT: That question does not arise. It is a matter of opinion and the member need not answer him.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I put the question so that I can understand what he means by that expression.

DEPUTY PRESIDENT: Since I have given my ruling, no further question arises. A member is bound to answer only when the Chair allows the question to be put, so that, as soon as a question escapes another member's mouth, no member need be in haste to answer.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): ൯൯-വർഷംവരെയുള്ള ദീർഘകാലത്തേക്കു ഇടവകവസ്തുക്കളെ കമ്പനിക്കാർക്കു കൊടുത്തിട്ടുള്ള ഏർപ്പാടുകളെ ഈ ബില്ലു് ബാധിക്കുന്നതല്ല. കൺട്രാക്‌റ്റിൽ അടങ്ങിയിട്ടുള്ള വ്യവസ്ഥക്കനുസരണമായിട്ടും അപ്രകാരമുള്ള പ്രമാണങ്ങളിൽ അടങ്ങിയിട്ടുള്ള വ്യക്തിപരമായ പരസ്പര കരാറുകൾക്കു അധീനമായും ഈ വക വസ്തുക്കളുടെ അനുഭവക്രമം സിലക്‌റ്റ് കമ്മിററി ബില്ലിൽ സുസ്ഥാപിതമായിട്ടുണ്ട്. സിലക്‌റ്റു കമ്മററി ഹാജരാക്കി

യിട്ടുള്ള ബില്ലിലും ആദ്യത്തെ ബില്ലിലും അന്തർഭവിച്ചിട്ടുള്ള തത്വം സ്ഥിരാവകാശം നല്കണമെന്നുള്ളതാണ്. ആ തത്വത്തിന് വ്യത്യാസം വന്നിട്ടില്ല. നേരമറിച്ച് പതിച്ചുകൊടുക്കുന്നതിനെപ്പററി ആദരിക്കേണ്ട നടപടികളുടെ ഒരു വിശദീകരണം മാത്രമേ സിലക്റ്റ് കമ്മിററി ബില്ലിൽ കൂടുതലായി ചേർത്തിട്ടുള്ളു.

ഇനിയും വെൺപാട്ടവസ്തുക്കൾക്കു തറവില ചുമത്താമെന്നുള്ള സിലക്റ്റ് കമ്മററിബില്ലിലെ വ്യവസ്ഥയുടെ സാധുത്വത്തെപ്പററി പര്യാലോചിക്കാം. ഈ വ്യവസ്ഥ ശരിയല്ലെന്നു പറയുന്നതിനുള്ള ഒരു കാരണം സർക്കാർ വസ്തുക്കളെ സംബന്ധിച്ച് ൧൦൪൦-ലെ തിരുവെഴുത്തുവിളംബരം തറവില ചുമത്താതെ സ്ഥിരാവകാശം നല്കിയിട്ടുണ്ടെന്നുള്ളതാണ്.

ഇടവക ബിൽ നിയമം ആക്കാൻപോകുന്നതു് ഇപ്പോഴാണല്ലോ ഇപ്പോൾ സർക്കാർ വസ്തുക്കൾ (പുതുവൽ, പുറംപോക്ക്) പതിച്ചുകൊടുക്കുന്നതിനെ സംബന്ധിച്ചുള്ള നിയമമാണ് നാം അംഗീകരിക്കേണ്ടതു്. ഇപ്പോൾ സർക്കാർ വസ്തുക്കൾ പതിച്ചുകൊടുക്കുന്നതു് തറവില ചുമത്തിയുമാണ്. നിയമത്തിൽ റിട്ട്റാസ്പെക്റ്റീവ് ഇഫക്റ്റ് ഉണ്ടായിരിക്കരുതെന്നുള്ളതാണല്ലോ സാമാന്യ തത്വം. അതുകൊണ്ടു സർക്കാർവസ്തുക്കളേപ്പോലെ തന്നെ ഇടവക വസ്തുക്കൾക്കും പതിച്ചുകൊടുക്കുന്ന വിഷയത്തിൽ തറവില ചുമത്തുന്നതു ന്യായമായിട്ടുള്ളതാണ്.

MR. A. THANU PILLAI (*Trivandrum-Rural*): പുതുവൽ പതിച്ചുകൊടുക്കുന്നതിനു മാത്രമല്ലേ തറവില ചുമത്താറുള്ളു?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : പുറംപോക്കിനും ഉണ്ട്.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : കുടിയാനവൻമാരുടെ കൈവശം ഇരിക്കുന്ന വസ്തുക്കൾക്കോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : കുടിയാന്മാരുടെ കൈവശം ഇരിക്കുന്ന വസ്തുക്കളിൽ കൈവശക്കാരക്കു വാല്യുബിൾ ഇംപ്രൂവ്മെൻറും ബോണഫൈഡ് ആക്കുപ്പേഷനും ഉണ്ടെങ്കിൽ തറവില ചുമത്തി പതിച്ചുകൊടുക്കുന്ന ഏർപ്പാടു അടുത്തകാലംവരെ നടപ്പിൽ ഇരുന്നിട്ടുണ്ട്. സെലക്റ്റ് കമ്മിററി ബില്ലിൽ ക്ലാസ്സ് ൭ (൨) (൪) ൽ തറവില പത്തു വർഷത്തിൽ കൂടുതൽ കാലംകൊണ്ട് പ്രതിവർഷവീതപ്രകാരം അടച്ചുതീർത്താൽ മതിയെന്നു വ്യവസ്ഥയുണ്ട്. അതുകൊണ്ട് തറവിലയെ സംബന്ധിച്ചുള്ള വ്യവസ്ഥ സ്വീകാര്യപ്രദമല്ല എന്നു പറയുന്നതു് ശരിയല്ല.

[Mr. T. P. Velayudhan Pillai.]

കിളിമാന്നൂരും ഇടപ്പള്ളിയും ഇടവക വസ്തുക്കൾ താവഴ കൂടാതെ അക്കാലത്തു് പതിച്ചുനടത്തി എന്നുള്ളതാണ് മറെറാരു കാരണം. അതു് ൧൦൩൭-ലെ നിയമവ്യവസ്ഥയനുസരിച്ചാണ്. എന്നാൽ ഈ ഇടവകകളുടേയും വഞ്ഞിപ്പുഴ, ഇടപ്പള്ളി ഈ ഇടവകകളുടേയും സ്വഭാവം ചരിത്രസംബന്ധമായിനോക്കുന്നപക്ഷംവ്യത്യാസമുള്ളതാണ്. പൂഞ്ഞാർ, വഞ്ഞിപ്പുഴ ഈ ഇടവകകളിലെ വസ്തുക്കളിന്മേൽ ചീഫ്സിനു സർവ്വസ്വാതന്ത്ര്യമായ അവകാശം ഉണ്ടു്. അതിനാൽ അവരുടെ ഭൂമി അന്യർക്കു കൈമാററംചെയ്തുകൊടുക്കുമ്പോൾ അതിലേക്കു ന്യായമായ വില വാങ്ങരുതെന്നു് പറയുവാൻ ആർക്കും അവകാശമില്ല. കിളിമാന്നൂർ ഇടപ്പള്ളി ഈ ഇടവകകളിലെ വസ്തുക്കളുടെ സ്വഭാവം ഇതല്ല.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : ഇപ്രകാരമുള്ള സ്റ്റേറമെൻറിനു അടിസ്ഥാനമായ തെളിവെന്താണ്?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഹൈക്കോടതിജഡ്ജി ആയിരുന്ന മി. ചെറിയാൻ പൂഞ്ഞാറും സർക്കാരുമായുണ്ടായിരുന്ന അതൃത്തിവാദക്കേസിൽ എഴുതിയിട്ടുള്ള ജഡ്ജിമെൻറും ലാൻറുറവന്യൂമാന്വലും ഇതു് തെളിയിക്കുന്നതാണ്. പൂഞ്ഞാർ രാജാക്കന്മാർ പാണ്ടിയിൽനിന്നും വന്നവരാണ് എന്നും അവർ തെക്കുംകൂർ രാജാവിനോടു വിലകൊടുത്തു വസ്തുക്കൾ വാങ്ങിയതാണെന്നും അതിന്മേൽ തിരുവിതാംകൂർ രാജാക്കന്മാർക്കു യാതൊരവകാശവും ഇല്ലെന്നും ആ ജഡ്ജിമെൻറിൽഉണ്ടു്. കിളിമാന്നൂർ, ഇടപ്പള്ളി ഈ ഇടവകകളിലെ ചീഫിനു ഈ വക വസ്തുക്കളിൽനിന്നു ലഭിക്കുന്ന റവന്യൂ സ്വീകരിക്കാനുള്ള അവകാശം അല്ലാതെ മററു യാതൊരവകാശവും ഇല്ല. അതിനാൽ ഗവണ്മെൻറിൽനിന്നും അംഗീകരിച്ചിട്ടുള്ള തത്വങ്ങൾ സ്വീകരിക്കുന്നതിനു നിർബന്ധിതരായവർ കിളിമാന്നൂർ, ഇടപ്പള്ളി ഈ ഇടവകക്കാർ മാത്രമാണ്. തിരുവിതാംകൂർ രാജാവിനെപ്പോലെയുള്ള എല്ലാ അവകാശങ്ങളും കിളിമാന്നൂർചീഫിനു ഇടവകവസ്തുക്കളെ സംബന്ധിച്ചില്ലായിരുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : അങ്ങനെയുള്ള അവകാശം ഇടപ്പള്ളിരാജാവിനു ഇല്ലായിരുന്നോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : അതിനെപ്പററികൂടുതൽ പറയണമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല

അതിനാൽ ൧൦൩൭-ലെ റെഗുലേഷനിലെ തത്വം മററിടവകകളെ സംബന്ധിച്ചും സ്വീകരിക്കണമെന്നു പറയുന്നതു ഒട്ടും ശരിയല്ല. സർക്കാർവസ്തുക്കളുടെ പതിവിനെക്കാൾ കുടിയാനവനു കൂടുതൽ സഹായമായ നിലയിലാണ് സിലക്ട്കമ്മിററി ബില്ലിൽ ഇടവകവസ്തുക്ക

ളുടെ പതിവിനെസംബന്ധിച്ച് വ്യവസ്ഥചെയ്തിട്ടുള്ളത് എന്ന് ൭-ാംവകുപ്പ് ൨-ാം ഉപവകുപ്പ് ൪-ാംഖണ്ഡികയിൽനിന്നും കാണാവുന്നതാണ്. അതായതു് ഏക്കർ ഒന്നിനു ൧൫ രൂപാ അടയ്ക്കേണ്ടിവരുന്ന കുടിയാനവൻ അതു് ൧൦ വർഷത്തിൽ കൂടുതൽ കാലഘട്ടത്തിൽ പ്രതിവർഷം സമവീതപ്രകാരം അടച്ചുതീർത്താൽ മതിയെന്നുള്ള വ്യവസ്ഥ കുടിയാനവന്നു എത്രയോ ആശ്വാസപ്രദമായിരിക്കുന്നു എന്നു് ആലോചിക്കേണ്ടതാണ്.

ഞാൻ പ്രസ്താവിച്ച എല്ലാകാരണങ്ങളാലും തത്വത്തിൽ പ്രാരംഭബില്ലും സെലക്റ്റുകമ്മിററിബില്ലും തമ്മിൽ സാരമായ വ്യത്യാസം ഉണ്ടായിട്ടില്ലെന്നും ഇപ്പോഴത്തെ സെലക്റ്റുകമ്മിററിബിൽ വീണ്ടും ഒരു സെലക്റ്റുകമ്മററിയുടെ പര്യാലോചനക്ക് അയക്കേണ്ട ആവശ്യമില്ലെന്നു സ്പഷ്ടമാകുന്നുണ്ടു്. അതിനാൽ മി. കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ളയുടെ ഭേദഗതിയെ ഞാൻ ബലമായി എതിർക്കുന്നു.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Sir, I rise to oppose this amendment. With reference to the imposition of *taravila*, it was stated here that the Sirkar, when they granted permanent registry of *venpattam* lands in 1040 M. E., did not realise any *taravila*. It was also stated that, under the Estates Rent Recovery Regulation, IV of 1068, the Kilimanur and the Edappalli Chiefs were not permitted to realise any *taravila*. The reason for this was that no question of *taravila* was in contemplation by the Government or by any other authority in those days. The idea of *taravila* first manifested itself in an order of Government issued as No. 3869, dated the 2nd Medom 1069. It is a Malayalam Order, and I shall quote the relevant passage from that order which was issued in the days of Dewan Sankarasubba Aiyar.

"സർക്കാർവക പുതുവൽ ഭൂമികൾ കുടികളുടെ പേരിൽ പാട്ടഇനമായി പതിച്ചുകൊടുക്കുന്നതിൽ വച്ച് അവക്ക് ആവക ഭൂമിയിന്മേൽ ക്രയവിക്രയം ചെയ്യത്തക്ക പൂർണ്ണാവകാശം സിദ്ധിച്ചുവരുന്ന സ്ഥിതിക്ക് അതിലേക്ക പ്രതിഫലമായി സ്വല്പമെങ്കിലും ഒരു അർത്ഥസംഖ്യ സർക്കാരിൽ തീർപ്പിച്ചു പതിക്കുന്നതു് യുക്തമെന്നുകണ്ടു് മേലാൽ പുതുവൽ പാട്ടമായി പതിക്കപ്പെടുന്ന എല്ലാ ഭൂമികൾക്കും ഏക്കർ ഒന്നിനു ഒരു രൂപാവീതം വില ഒടുക്കിച്ച് പതിപ്പാൻ കല്പന പ്രകാരം വ്യവസ്ഥചെയ്തിരിക്കുന്നു."

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): On a point of order, Sir, the member is quoting from a document which has not been placed before the House.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): It is a public document.

DEPUTY PRESIDENT: When a point of order is raised, it is the Chair that has to give the ruling, and I propose to give my ruling. Mr. Paramesvara Aiyar, you will please therefore sit down.

Mr. Paramesvara Aiyar was quite in order when he quoted such authority as was acceptable to him. Whether others will accept that authority is a different matter. Mr. Paramesvara Aiyar may therefore proceed with the quotation, provided it is not very long.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am afraid my point of order has not been correctly understood by the Chair.

DEPUTY PRESIDENT: There is my ruling, and Mr. Kunjukrishna Pillai will resume his seat.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): My point is—

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Order, order.

DEPUTY PRESIDENT: I wanted to say that.

There is no use raising a point of order unless it is a substantial one. I understood Mr. Kunjukrishna Pillai to mean that Mr. Paramesvara Aiyar, or any other member, may, during debate, refer only to such documents as have been placed before the House. Therefore, the observation attempted to be made by Mr. Kunjukrishna Pillai after I gave my ruling is entirely out of order.

Mr. Paramesvara Aiyar may now proceed with his quotation.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): "എന്നാൽ ഇപ്പോഴത്തെ നടപ്പനുസരിച്ചു ലേലത്തിൽ വിളിച്ചോ പിഴയർത്ഥം തീർപ്പിച്ചോ പതിച്ചുകൊടുക്കപ്പെടുന്ന ഭൂമികൾക്കു ഈ ഏർപ്പാടു സംബന്ധിക്കുന്നതല്ലാ".

This Order finds a place in Volume V of the Land Revenue Manual. It was only after the date of this order that Government began to impose *taravila*. And nothing prevents the Chiefs of Edappalli and Kilimanur from realising *taravila* at present on the lands at their disposal; and I believe they *are* doing it. Anyhow the question whether the imposition of *taravila* is proper or not does not arise under a motion for recommitting the Bill to a fresh Committee.

With regard to the question whether the Bill should be recommitted, I beg to submit that the Select Committee has sat over this Bill for 17 days and has given the matter due deliberation. After all, what is it that is to be gained by a recommittal? The same Law Member is going to be in charge of the Bill; and the same legal talent that was already available will have to be made available again.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will not the discussion in this House enable the new Select Committee to revise their opinions?

DEPUTY PRESIDENT: Mr. Paramesvara Aiyar is expressing his opinion; that is all.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether Mr. Paramesvara Aiyar makes any distinction between registry of *puduval* lands and grant of permanent occupancy rights in respect of holdings in the enjoyment of tenants?

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Sir, there are provisions in this Bill enabling the parties to get registry without payment of *taravila* in all cases where there is an irredeemable tenure or a usufructuary mortgage. In other cases, it has to be presumed that the lands belong to the Chiefs and that the tenants have only *venpattam* rights. It is in respect of these lands that *taravila* is proposed to be realised.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know from the member whether, even before the date of the G. O. of 1069, which he quoted, Government were not in the habit of granting holdings on *otti*, taking consideration from the holders?

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Yes.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Does it not show that the idea of getting consideration for lands was not foreign to the Government of Travancore even before that G. O. of 1069?

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): The case of lands under usufructuary mortgages being registered free from *taravila* under this Bill corresponds to the *otti* referred to by my friend. I do not think getting consideration for *otti* is like getting *taravila* for land. What I said was that *taravila* was unknown before 1069.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Does the member know that, in respect of service *inam* lands, Government, when they enfranchised them, took value for such lands?

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Yes.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Was it before 1069?

DEPUTY PRESIDENT: You cannot ask that question. Mr. Paramesvara Aiyar has already sat down.

MR. N. E. VARUGHESE (*Tiruvalla I*): സർ, ഈ സഭയുടെ പര്യാലോചനക്കു വിഷയമായിരിക്കുന്ന സംഗതി സിലക്റ്റു കമ്മററി ഹാജരാക്കിയിട്ടുള്ള ഇടവക ബിൽ വീണ്ടും ഒരു സിലക്റ്റു കമ്മററിയുടെ പര്യാലോചനക്കയക്കണമെന്നുള്ളതാണ്. ഈ ബിൽ ആദ്യം ഈ സഭയിൽ അവതരിപ്പിക്കുന്നതിന് അനുവാദം കൊടുത്തതുതന്നെ അതിലടങ്ങിയിരിക്കുന്ന പ്രധാനപ്പെട്ട തത്വങ്ങളെ സ്വീകരിച്ചതിനു ശേഷമാണ്. ഇതിൽ പ്രധാനതത്വം കുടിയാനവന്മാൎക്കു വസ്തുവിന്മേൽ സ്ഥിരാവകാശം നൽകുക, ഇടവക അധികാരികൾക്കു തോന്നിയ വിധത്തിൽ കുടിയാന്മാരെ ഉപദ്രവിക്കാതെ സംരക്ഷിക്ക എന്നിവയാകുന്നു. ഈ സംഗതിയിലും സാരമായ മററു ചില ഭാഗങ്ങളിലും വ്യത്യാസം വരുത്തിയതു കൊണ്ട് ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന ബിൽ വേറെ ഒരു ബില്ലാണ്

[Mr. N. E. Varughese.]

എന്ന വിചാരിക്കേണ്ടിയിരിക്കുന്നു. ഇങ്ങനെ വ്യത്യാസം വരുത്തിയതിനെപ്പററി എനിക്കു മുൻപു പ്രസംഗിച്ച പല മാന്യന്മാരും വിശദമായി പ്രതിപാദിച്ചു കഴിഞ്ഞു. ആ സംഗതിയെ വീണ്ടും ആവർത്തിച്ചു പറയുന്നതു ചട്ടവിരുദ്ധമാകയാലും അങ്ങനെ ചെയ്യാൻ പാടില്ലെന്നു അധികാരസ്ഥാനത്തുനിന്നും ആജ്ഞാപിച്ചിട്ടുള്ളതുകൊണ്ടും അതിൽ ഞാൻ പ്രവേശിക്കുന്നില്ല. ചട്ടത്താൽ ആവശ്യപ്പെട്ട ഏററവും പ്രധാനപ്പെട്ട ഒരു സംഗതി സിലക്ററുകമ്മററി വിട്ടുകളഞ്ഞിരിക്കുന്നു എന്നാണു എനിക്കു പറയാനുള്ളതു. സ്റ്റാൻറിംഗ് ആർഡർ ൩൨ അനുസരിച്ചു സിലക്ററു കമ്മററി റിപ്പോർട്ടു ഗസററിൽ പരസ്യപ്പെടുത്തണമെന്നും ബിൽ എന്നു പ്രസിദ്ധപ്പെടുത്തി എന്നു റിപ്പോർട്ടിൽ വിവരിക്കണമെന്നും പറഞ്ഞിട്ടുണ്ടു, അതു അശേഷം അവഗണിച്ചിരിക്കുന്നു. അതുകൊണ്ടു ഈ ബിൽ ഇവിടെ ആലോചനാവിഷയമാക്കാൻ പാടില്ലെന്നാണു ഞാൻ അഭിപ്രായപ്പെടുന്നതു.

MR. S. J. NAIR (*Nedumangad*): മെമ്പർ ഉദ്ദേശിക്കുന്ന വ്യാഖ്യാനം അല്ല ആ വകുപ്പിനുള്ളതെന്നു മെമ്പർ മനസ്സിലാക്കിയിട്ടുണ്ടോ?

DEPUTY PRESIDENT: I do not think Mr. S. J. Nair is right in putting that question. So no answer need be given.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇതിനും പുറമെ സിലക്ററു കമ്മററിയിൽ കുടിയാന്മാരുടെ പ്രതിനിധി എന്ന നിലയിൽ ആരും ഹാജരായിരുന്നതായി റിപ്പോർട്ടിൽ കാണുന്നില്ല.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): കുടിയാന്മാരുടെ വക്കീലായി ഒരാൾ ഹാജരായിരുന്നു എന്നു പറഞ്ഞിട്ടുള്ള ഭാഗം മെമ്പർ വായിച്ചില്ലേ?

MR. N. E. VARUGHESE (*Tiruvalla I*): വായിച്ചു.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): പിന്നെ എന്താണു കുടിയാന്മാരുടെ പ്രതിനിധിയായി ആരും ഉണ്ടായിരുന്നില്ലെന്നു മെമ്പർ പറഞ്ഞതു ?

DEPUTY PRESIDENT: Mr. Puthupalli Krishna Pillai's second question is disallowed.

MR. N. E. VARUGHESE (*Tiruvalla I*): കുടിയാന്മാരുടെ സാക്ഷാലുള്ള പ്രാതിനിധ്യം സിലക്ററു കമ്മററിയിൽ ഉണ്ടായിരുന്നതായി റിപ്പോർട്ടിൽ കാണുന്നില്ല.

DEPUTY PRESIDENT: You must please listen to what falls from the Chair. That question has not been allowed and so Mr. Varughese need not answer that question.

MR. N. E. VARUGHESE (*Tiruvalla I*): അതിനാൽ കുടിയാന്മാരുടെ പ്രതിനിധി എന്ന നിലയിൽ ആരും ഇല്ലാതിരുന്നതുകൊണ്ട് ഈ ബിൽ സ്വീകാരയോഗ്യമല്ല.

എല്ലാ ഇടവകകളെയും ബാധിക്കുന്ന ഒരു ബില്ലാണ് ആദ്യമായി അവതരിപ്പിച്ചത്. ഇപ്പോഴത്തെ ബിൽ കണ്ടെഴുത്ത് സംബന്ധിച്ച് കിളിമാനൂർ, ഇടപ്പള്ളി, ഈ രണ്ടിടവകകളെ ഒഴിച്ചിരിക്കുന്നു. കണ്ടെഴുത്ത് കഴിഞ്ഞ് ൩൦ കൊല്ലം കഴിഞ്ഞാൽ വീണ്ടും കണ്ടെഴുത്ത് നടത്തണമെന്നുണ്ട്. അതിനെ ഉദ്ദേശിച്ചു നോക്കുമ്പോഴും എല്ലാ ഇടവകകളെയും സംബന്ധിക്കുന്ന ഒരു ബില്ലുണ്ടായിരിക്കയാണ് നല്ലത്. അതിനാൽ ഈ ബിൽ വീണ്ടും സിലക്റ്റ് കമ്മിറ്റിക്കയയ്ക്കണം എന്നുള്ള വാദം എത്രയും ശരിയായിട്ടുള്ളതാകുന്നു.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I have to offer a few remarks in support of the amendment of Mr. Kunjukrishna Pillai. First, I have to say a word with regard to the question of *taravila*. The question of *taravila* has not been contemplated by the Bill as it was originally framed and first presented before the House. Because the Select Committee introduced the question of *taravila* and considered the point, several consequential changes had to be made in the Bill. The public and the tenants of the Edavagais concerned had not sufficient notice of these numerous and detailed changes, as was admitted in the report itself.

DEPUTY PRESIDENT: I wish the member does not dilate on this point, because it has been pressed upon the attention of the House already and repetition of argument is not ordinarily allowed. These arguments need not be elaborated.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): My submission is that the tenants and the public should be sufficiently and properly consulted on the various, numerous and detailed changes that were introduced in the Bill by the Select Committee, before the Bill is allowed to pass into regulation.

I have to say a word with regard to the question of *melvaram*. When this point was under the consideration of the Select Committee, the Select Committee was given to understand that in Vanjipuzha there was no *melvaram*. The representative of the Chief of Poonjar said that there are no *kanom* properties in Poonjar.

DEPUTY PRESIDENT: I think the member is not in order.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): It was also given to understand that there are no *kanom* properties in Poonjar; but it was stated that there are some documents in which there are stipulations for the payment of *melvaram*. There is also the question of *taravila*. Some of the tenants of Poonjar and Vanjipuzha say that they have given some amount when they took the lands from the Chiefs by way of *moopartham*. Such being the state of affairs, I submit that evidence ought to have been taken on these points. So I appeal to this House that the Bill, taking into consideration these

[Mr. S. Nilakanta Pillai.]

points, should be recommitted; and I appeal to you, Sir, that in fairness and justice the Bill should be recommitted. With these few words, I support the amendment brought forward by Mr. Kunjukrishna Pillai.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I also rise to support the amendment moved by Mr. Kunjukrishna Pillai. I think that the Select Committee has exceeded its jurisdiction in submitting a report on principles entirely different from those contained in the original Bill. If we read the draft Bill, we find that even in the preamble the object is stated to be for defining the relation between the proprietors and the tenants therein and for the recovery of the rents. But we find that in the new Bill there is no reference to the tenants and the only consideration is the administration of Edavagais.

The main purpose of the legislation was stated to be to give permanency of tenure. In the Statement of Objects and Reasons, this purpose is clearly stated and a number of other reasons are given for introducing this Bill into this Assembly. But we find on a perusal of the report that, instead of giving permanency of tenure to the tenants, the Government is giving a summary right of eviction to the Chief. It is fundamentally opposed to the original conception of the Bill. We find that no absolute right of getting the lands registered is given to the tenants. There is no section in the whole of the Bill which entitles the tenants to demand registry of lands. Even with regard to the lands which are allowed to be registered on certain conditions, we find that all lands are not included. My friend Mr. Velayudhan Pillai has been saying that only lands which are given for very long terms like 99 years are excluded from the operation of this Bill. He was saying that, if one intelligently reads the Bill, one would find that. Of course, intelligence is not the monopoly of one.

DEPUTY PRESIDENT: You propose to use your own intelligence and point out that you come to a different conclusion.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I do not want to say that others have unintelligently read it. We find that this Bill enables those who have irredeemable rights to enjoy those rights and enables persons who are enjoying properties on usufructuary mortgage to enjoy them without getting any reduction on account of interest for the amount they have paid. With regard to those who hold *venpattam* tenure, the answer is very perplexing. I am not able to quite appreciate it. It is stated in Clause 5 sub-clause (4) that tenants who hold it for not less than 12 years are entitled to get it registered on payment of *taravila*. What about those who hold it for less than 12 years? Nothing is stated. I do not find any provision in the Bill which says that those who hold it for less than 12 years are entitled to get it registered. So we find that, even with regard to getting permanent occupancy rights, the provisions are defective. In Clause 8 of the original draft, it was stated that, on all lands settled under the present Regulation, permanent occupancy rights will be created, while, in the present report Clause 7 says that the tenants holding lands other than *thanathu* lands will have permanent occupancy rights. So what I am just bringing to the notice of this Assembly is that this Bill does not give permanent occupancy rights to the tenants for whose benefit it was contemplated to be brought into law by Government.

Another point to which I wish to draw the attention of this House is with regard to the *taravila*. Much has been said about that. I wish to bring only one point to the notice of the House. It was stated that the maximum is Rs. 15. Any one who reads sub-clause (iv) of Clause 5 will find that a *taravila* not exceeding Rs. 15 per acre of dry land and not exceeding Rs. 50 per acre of wet land is fixed for the settlement. Even in the ordinary case Rs. 50 is the maximum and with regard to unauthorised occupation it is Rs. 100.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member the amount that is levied as *taravila* for dry land as well as for wet land by the Government?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I do not know whether the question is relevant.

DEPUTY PRESIDENT : Mr. Asan, may proceed.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What I was stating was that Rs. 50 is the maximum for ordinary registered land. With regard to the value of improvements in these lands, the person who makes the improvement has to get the benefit. But this Edavagai Bill as well as the report of the Select Committee wants to deprive the few tenants who are occupying the lands of the Edavagai Chiefs of the rights that are now enjoyed by them as well as all the other people of this State. They have now imposed a penal condition. If they do not get the lands registered within two months, they will be evicted. Sir, two months' time is given to a person to find sufficient money to get the registry of the land. If he fails to find that money, he will be deprived of the lands he was living in with all improvements he has made and probably these would include all his assets. Is it not a barbarous condition?

MR. S. J. NAIR (*Nedumangad*) : May I know whether the member is aware that, under the existing *Puduval* rules, no one is given the benefit of improvements?

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : *Puduval* rules are different from judicial rules.

DEPUTY PRESIDENT : If the member is able to give an answer to the question, he may do so.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) ; I am able to give, but I do not give.

DEPUTY PRESIDENT : If the member is able to give the answer, he should give it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Then let me hear the question once more.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member whether he is aware that, under the existing rules, none has the particular benefit of his improvements in the lands?

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I must say that the *puduval* lands are not registered in the name of the persons who have improved the lands, if public interests demand that they should be left unregistered.

MR. S. J. NAIR (*Nedumangad*) : May I inform the Chair that the member is still wrong in his conception ?

DEPUTY PRESIDENT : I must once again point out the necessity of members' conforming to the rules of debate. I have made it very clear that a question need be answered only when the Chair permits him, so that any haste to answer the question is objectionable.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : How are we to know whether the Chair has given its assent or not ?

DEPUTY PRESIDENT : I do not want to take up the time of the House. Please proceed with the argument, Mr. Asan.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): So the deprivation of the right to the value of improvements on the lands is highly inequitable and unjust and the Select Committee has introduced that provision which is not contained in the original Bill. In the Objects and Reasons and in the speech made by the Law Member, it was stated that there was some necessity to have uniformity in the law relating to Edavagais. Now we find that Edavagais are divided into three classes. One class is composed of the Edappalli Chief and Kilimanur Chief who have already obtained some legislation and who do not like to be classed among others. The Select Committee does not want to include them though the framers of the original Bill and this Assembly were including them. There is another set of Edavagais which are not to be included in this and they must agitate for another legislation. The reasons urged are that they are not sure of the condition of such Edavagais.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : May I know whether there are not other unsettled Edavagais which have not been included ?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes, there are, like the Ezhumattoor Chief and others. I do not understand what is meant by unsettled. It is very vague.

DEPUTY PRESIDENT : The member may take the meaning of the word in its ordinary sense. He said that it is very vague.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : The expression is very vague.

DEPUTY PRESIDENT : It is an observation. If he is able to give an answer to the question, he may do so.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : No, I am not.

DEPUTY PRESIDENT : Then it is all right.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : An attempt was made to bring uniformity in the laws relating to these Edavagais. It was stated in the Statement of Objects and Reasons that it is considered reasonable to have a single piece of legislation applicable to all the Edavagais as in the Revenue Recovery Regulation. Instead of two classes of Edavagais the present Bill brings in three classes of Edavagais. That is how the uniformity has been achieved. So my view of the whole matter is that the Select Committee in preparing the draft Bill

has not conformed to the strict provisions of the Bill and has exceeded its jurisdiction in submitting a report quite contrary to the principles accepted by the Assembly. With these words, I support the amendment of Mr. K. Kunjukrishna Pillai.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, the question for consideration is whether the Bill should be recommitted. In deciding that question, there are only a few matters that should be kept in view. Several arguments were advanced here either in support of or against the recommittal of the Bill. It would appear that the opinion current is that, when once a Select Commitee submits its report and the House is in possession of it, ample justice will be done if the members are enabled to discuss, provision by provision, the several clauses contained in the Bill. To me it would appear that there is an object to be achieved in asking an expert body, which now-a-days is called Select Committee, to consider and discuss a Bill. An opportunity is given to the members of this House at the time of the introduction of a Bill to express an opinion on what the members of the Select Committee are asked to decide. There were certain provisions contained in the original Bill and it should be in the light of the observations we made that the Bill should be discussed and reintroduced into the House. If, as a matter of fact, that Bill contained provisions which were unacceptable on principle, the members of this House would have stood up in a body and said 'we oppose this Bill'. In the original Bill some promises were held out and some assertions were made and it should be in the light of those and the criticisms offered thereon that the Bill ought to be reintroduced. If it contained some unnecessary statements or unacceptable principles, then this House would have immediately thrown it out and would not have allowed this Bill to be put in the hands of the Select Committee. What was the statement made at the first time when the Bill was first introduced? It was for permanently settling these Edavagais. At that time the statement was made and was understood by this House that all the tenants who are classed as holders of Edavagai lands as defined in the Bill would be given the right to have the land permanently settled in their name free of any charges. It was never understood that they will have to pay even a single pie by way of compensation. If at that time these conditions were attached to the rights promised and if the Law Member said then that these were the prime considerations, we would, then, have said that it is a useless Bill and it should not be referred to a Select Committee. That was not done.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether there is any clause for the permanent settlement?

DEPUTY PRESIDENT: That question does not arise.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): At the time when this Bill was last put into our hands, what we said was that more concessions should be shown to the tenants and that the Bill should

[Mr. Puthupalli S. Krishna Pillai.]

be so worded as to confer more powers on them. Sir, if you read the back volumes of the reports containing this discussion, you will find that the main objection to the Bill as it stood, was that the Bill was not sufficient enough to protect all the rights and privileges which the tenants claimed.

DEPUTY PRESIDENT : I may observe that the member will not be justified in elaborately arguing out this point, because although several members made speeches on the occasion the Bill was introduced in this Assembly, there was no unanimity among them. Various people take various views. Therefore to say that the House committed itself to any particular principle will not be correct.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : The discussion that was made at that time and the promise made by the Law Member centred round this point that we want more liberties and rights to be conferred upon the tenants : and if I remember right, the Law Member then promised that it would be a matter that would be considered by the Select Committee. We find that the Select Committee by its report has gone beyond the pledges and promises made by the Law Member at that time.

They have not given the tenant the rights and privileges he demanded at that time. The tenant is even deprived of the right that was promised to be conferred under the original Bill. It would therefore appear that, instead of a Select Committee report based on the old Bill, we have a Select Committee report with a new Bill drafted. When a new Bill is introduced in this House, unless there are exceptional reasons, such as we had yesterday, the Bill ought to be referred in its ordinary course to a Select Committee for its consideration. This is not the time when we should think, discuss and study and take evidence and then come to some conclusion. Here upon facts and materials we have collected, upon information we have gathered, we have to put forward amendments, and they are to be discussed and accepted or rejected. If a Bill is drafted on a new scheme altogether, a scheme which is entirely new to the House, it would be very difficult to offer amendments, discuss them and then accept or reject them. Therefore, if the House is satisfied that the Bill as re-drafted by the Select Committee has made far-reaching changes or material changes from the original Bill, for practical and legal purposes, it must be considered to be a new Bill and accepted as such. If it is a new Bill, I would strongly advocate that instead of rushing through the Bill, it should be referred to another Select Committee in order that it might, if necessary, take evidence and submit its final report for the consideration of the House. That is a position which I suppose every individual in the State is entitled to demand as a matter of right.

There appears to be some notion current that we members of this House unnecessarily take the time of the House to discuss matters.

DEPUTY PRESIDENT : That does not arise.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : What I want to impress on the House is that time shall not be the consideration which ought to weigh with this House.

DEPUTY PRESIDENT : I prohibit that kind of pronouncement from a member. A member is entitled to develop his points in argument, not this kind of thing.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Is it open to the member to cast an insinuation on what the President has said?

DEPUTY PRESIDENT : It is for that reason I said that I prohibit this kind of developing the argument.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Now then, what we have to consider primarily is this. What exactly is the nature of the legislation that is intended to be enacted here? If it were a Bill which is adopted and accepted as a legislative enactment elsewhere, I can understand that it is a very easy matter. There will be no difficulty. There is the guarantee that it had been discussed, considered, and given its final shape. In regard to such Bills, I would certainly not ask for a recommittal to a Select Committee. But when the Bill itself is an original Bill and when it wants to deal with controversial matters and if such controversial matters are brought up for the first time, it is absolutely necessary, in the administration of impartial justice between man and man, that the best consideration ought to be bestowed upon that Bill. This will be better served by a recommittal in the case before us. Therefore expenses, dilatoriness, etc., ought not to weigh with this House in deciding whether the Bill ought to be recommitted. This is a point which has to be seriously considered.

Another aspect of the matter also has to be presented. This is a measure which affects only persons inhabiting a small portion of Travancore. It is a matter which does not affect the entire population of Travancore. We who represent the entire population of Travancore should therefore feel that responsibility—

DEPUTY PRESIDENT : I consider developing that point unnecessary.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : It should not hereafter be said that, because this is a Bill which affects only minority interests in the State, this House did not bestow that attention which it deserves.

I shall now briefly refer to some of the Sections. The distinction that has been drawn between the several Edavagais is a distinction without a difference. It may be that one Edavagai is the result of a grant and another of conquest. In the eye of law, there is no difference between them. I may refer to the report submitted by Mr. Kunjuraman Nair wherein he has said about the rights of these Edavagais.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : May I know what that book is?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): That is the report presented by Mr. Kunjuraman Nair in connection with the Jenmi and Kudiyan Regulation. It is said that, in regard to the proprietory rights of these several Edavagais, there is, in the eye of law, absolutely no distinction or difference. It is only in one portion of his report that these Edavagais are referred to by the name of Edavagai. In all other places, they are referred to as Estates or *Desoms*. The Poonjar Chief or the Kilimanur Chief is never referred to as an Edavagai, but simply referred as a *Desadhipathi*. The distinction, that is now introduced in the Bill, is a distinction which was not kept in view at the time when the Bill was drafted. Edappalli and Kilimanur are referred to as Estates and the other two as Edavagais. A difference in nomenclature about two identical matters would in after time lead to doubt and misinterpretation. We found some difficulty when we were at the Jenmi and Kudiyan Regulation. Some people were offended at the retention of the word *Kudiyan*. Some seemed to think there was something wrong and obnoxious in that term. When that Bill was under discussion, some of us in our speeches sought to make it clear. Some Edavagais are called Edavagais and others are known as Estates. Is any distinction sought to be perpetuated? This is a matter which certainly did not engage the attention of the Select Committee. Suppose it is hereafter said that there is something objectionable in the expression Edavagai as opposed to Estate. No one wants a name which is liable to be misinterpreted. Was this a matter that was considered by the Select Committee?

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know what it is?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): What exactly it is I do not know. But when I say that which I know, I may be criticised by the member asking that question and I hesitate.

DEPUTY PRESIDENT: If you are able to give, please give that information.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I may be able. But I should not perform here all that I am able to. (*Laughter*). That is my humble opinion.

DEPUTY PRESIDENT: If the member is able to give an answer, let him give it.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, I am able. The expression may mean, it belonged to somebody from whom it was conquered. Then who is that somebody? *Eda* has something to do with cattle and conquest of them is not a great thing. That is why I said there is some bad meaning, something obnoxious attached to it. That is why I said I would consider very seriously before I give an answer. There is something awkward in answering under strain.

DEPUTY PRESIDENT: I cannot allow that kind of frivolous speech. If the member has any other arguments, he may proceed with them.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Yes, Sir. I have my own doubts whether the attention of the Committee was drawn to this aspect, *viz.*, whether a distinction shall be drawn between any class of Edavagais or *Desadhipathis*. All of them are entitled to be called by the same name. That is an important matter which has to be taken notice of.

Vast divergences have been made from the original Bill and that is subversive, of course, of all legal and accepted principles. There is the vexed question about the levy of *taravila* which has already been adverted to. There is next the Land Conservancy Regulation. It was passed about 45 years ago. This is the first time it is sought to be extended. It was thought necessary that properties belonging to Government should be conserved and hence that legislation was enacted. On the assumption that all lands belonging to Government would be utilised for public service, the right was conserved in the hands of Government for the public benefit. The Government would not release these rights all on a sudden, but only when occasion arose; and they must be satisfied that such rights should be released. It is on that principle that the Government passed the Land Conservancy Regulation. That principle is accepted by all Governments. That stands the test of time even to-day, because that is a principle which has necessarily to subsist for the preservation of the citizens' rights, for the protection of the citizen' rights, for the betterment of the citizens' rights. It is only in that view that the right is reserved. By virtue of that, Government release their rights bit by bit and impose restrictions upon which the release of rights could take place. If you want a plot of land, you will have to pay a decent sum by way of *taravila*. It is not for the aggrandisement of individuals. It is to act as a check on unauthorised appropriation of properties belonging to the public.

DEPUTY PRESIDENT: Can the member give me an idea of the time that he would still require?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*); I may require some 15 minutes more.

The House adjourned at 1·15 and re-assembled at 2 P.M.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, as I have been stating, the Land Conservancy Regulation is intended for the public benefit and it is that alone that justifies its continuance. A person, who, under the existing provision of the Land Conservancy Regulation, enters upon a land coming under the Regulation has no right to claim that property. It is expressly laid down that he will not be entitled to claim value of improvements. These are two of the important provisions contained in the Land Conservancy Regulation; and any person entering upon such lands has absolutely nothing to complain of if he is turned out, after having spent large amount of labour and money on them. Now what is the law relating to other lands? It is this. There is no statutory enactment, but the law, as administered

[Puthupalli S. Krishna Pillai.]

in this State, is a law consistent with justice, equity and good conscience, as stated in the Civil Courts Regulation, and upon the application of that principle, it has been laid down in a long series of cases decided by the High Court that even a trespasser is entitled to the value of improvements. If that is so, and if the person in possession of Edavagai lands thought that they were being held as those which did not fall within the purview of the Land Conservancy Regulation, is it competent on our part, or is it just and proper that we should come forward and say that lands which were hitherto being considered to be lands on which we can effect improvements which, on eviction, shall be compensated for, shall hereafter be grouped under the class of lands coming under the Land Conservancy Regulation? That is an innovation that has been made by the introduction of this Bill.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the trespasser, or those who trespass the land under the Land Conservancy Regulalion, is liable for compensation under the Act?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Lands coming within the purview of the Land Conservancy Regulation are lands for which no one can claim a right. All lands belonging to Government are, in the first place, classed under *poromboke* lands and they are being released, bit by bit, as occasion arises. When land is transferred from *poromboke* to *tharisu*, the Land Assignment Regulation comes into operation. Until that time, no one can claim the land. And this distinction must be borne in mind in regard to Sirkar lands that, on account of the subsisting statutory provision relating to all lands coming within the purview of that Regulation, the ordinary law is rendered inapplicable. If you enter upon another's land, you are liable under the criminal law; but if the owner of the land does not protest or does not take early step for eviction, you are entitled to full compensation for all improvements effected and also acquire full proprietory rights by adverse possession. That is what the law is. The lands belonging to the Edavagais are subject to these rights at the present day. These rights are done away with by the present Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I wish to have a ruling on the question whether members may discuss the merits or the demerits of the Report.

DEPUTY PRESIDENT: The details set forth in the report are relevant in some measure, because, unless a member is able to make out a case for recommittal, the Assembly will not be able to vote upon it. But details may be referred to only when they are absolutely necessary.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): If a trespasser or a tenant is evicted after making valuable improvements on lands, he is at the same time entitled to be compensated for. In the case of lands held on permanent tenure under permanent occupancy rights, neither of these questions arises. Now,

if this is the law when we introduce a Bill, we ought to consider how far we shall go in the matter of adjusting the rights of the parties. After going through the Bill, as redrafted by the Committee, I am not in a position to say that the Committee has kept in view this principle. It is stated that all lands, except when they are held under permanent occupancy rights, shall not be deemed permanent at all. My humble opinion is that no statutory enactment is necessary for this purpose. The only relief that is given in respect of those lands, by the provision contained in the Bill, is that the Jenmies are entitled to rights of permanent occupancy from the holders of these lands. Under the Revenue Recovery Regulation and the Land Conservancy Regulation, no right is conferred upon the tenant. There is no new legislation, no new principle, no new privilege conferred upon the tenant. But there is every privilege conferred upon the Chief.

In regard to all other lands, it is said that they shall be classed as *thanathu* lands. That is Clause 5 sub-clause (2) (ii). It is said that they shall be dealt with by the parties themselves or that they shall be dealt with in accordance with the agreement between the parties. Sir, for myself, I am not able to see why there should be a special legislation to give sanction to this Clause, because I am aware that even today such agreements do not come within the purview of Section 23 of the Indian Contract Act. There is nothing illegal, nothing immoral, in such agreements being entered into.

Then with regard to Clause 3. This Clause states that in regard to lands held on usufructuary mortgages no *Tadivila* or *taravila* need be paid. Nothing is said about the mortgage amount. Under the new Bill, it is laid down that the tenants shall not be entitled to anything, but that the Chiefs are to get everything. Thus Section 5, which takes the place of the original Sections 3 to 5, involves a large departure from the principle of the Bill as was originally drafted.

When the lands are classed as *thanathu* lands, Section 7 comes into operation. That Clause is intended to throttle the tenants and for evicting them summarily under the provisions of the Land Conservancy Regulation.

DEPUTY PRESIDENT : Your time is up.

MR. PUTUPALLI S. KRISHNA PILLAI (*Quilon II*) : May I know why, Sir ?

DEPUTY PRESIDENT : The 15 minutes' time asked for by you was allowed and is now over.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) . May I submit one thing ? When I was speaking, the Deputy President asked me what time I would take to finish my speech. I suggested 15 minutes roughly and that I personally did not demand any time.

DEPUTY PRESIDENT : I asked the member how much more time he would require and he said that he would take 15 minutes. Therefore I expect the member not to prolong the discussion.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I may be permitted to make one statement. Before lunch time I made a statement that I require some 15 minutes; but now Sir, I find that, if you would allow me to speak, I have two or three points more to speak upon.

In regard to speeches on legislative matters, there is no time limit. If you are satisfied that my speech is redundant, I may be asked to stop.

DEPUTY PRESIDENT: Will you please take your seat? It may be distinctly understood that in these matters time is very necessary for members to express their ideas and Mr. Krishna Pillai has had a very considerable time allowed to him and out of respect for the House, I ascertained from Mr. Krishna Pillai before we rose that he would require 15 minutes. Ordinarily the time cannot be exceeded, but because Mr. Krishna Pillai said that he has got one or two ideas more I give him a little more time. I cannot allow anything more than 2 minutes.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I am entitled to speak when a Bill is placed before us for discussion for any length of time, provided I do not commit any breach of the rules as have been published till now.

DEPUTY PRESIDENT: The member shall not make any observations on my ruling.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I do not want a minute's time of the House if I am not *entitled* to speak. If you are going to pass such a ruling, I do not want to speak—

DEPUTY PRESIDENT: Order, Order.

I expect the member to take his seat when I am up. It is not a question of my passing a ruling for a future case. I have already passed a ruling and that ruling must be submitted to.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Within the short time that has been allowed to me I am not in a position to state what I have to state on this matter and I shall be stating whatever I want to state only if I have the right to state. I do not want any concession. With that protest, Sir, I take my seat.

DEPUTY PRESIDENT: Mr. Krishna Pillai should apologise. I may call the attention of the House to the fact that everything reasonable, as permitted by the rules of procedure in this House, has been done. Mr. Krishna Pillai has taken a very considerable time. Certainly in discussing Bills a certain amount of latitude has to be allowed. But on the definite undertaking of Mr. Krishna Pillai that he would want 15 minutes, more that was also allowed. A further request was made and I allowed Mr. Krishna Pillai further time. To question the rulings given from the Chair is not in keeping with the prestige and dignity of the House. I would therefore ask Mr. Krishna Pillai to withdraw his remarks on the ruling.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, I wish to state—

DEPUTY PRESIDENT : Is the member prepared to withdraw his remarks on the ruling?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Yes. If there is any remark that has been made by me upon the ruling made by the President, all those statements are withdrawn, and at the same time, I want to state that I do not want to speak unless I have a right to speak.

MR. K. R. ELENKATH (*Kalkulam I*) : I have to clear a doubt, Sir. I want to know whether there is a time limit when a member is speaking on a Bill if he is not redundant.

DEPUTY PRESIDENT ; I am very sorry that I am obliged to answer this point which does not seem to arise. Mr. Elenkath has raised a point of order. I am bound when I am in the Chair to give a ruling. My ruling is this. Irrelevancy is one circumstance, redundancy is another, frivolity is a third, doing anything not contemplated by law is a fourth and so on. The present question is not any one of these. Considering the large number of members who have yet to speak and considering also what was stated by the President when we began the discussion this morning, I think the Chair has got a duty to itself and to the House and therefore no more time should have been allowed. I do not wish to state which is the particular ground that weighed with me. I say this because I have got reason to think that no more time can be allowed.

MR. A. EASWARA PILLAI (*Kottarakara*) ; Sir, I oppose the amendment for re-committal. I think that the Select Committee has considered all the aspects of this matter. The Select Committee has thought it fit to apply the provisions of the Bill to two of the Edavagais because the other two Edavagais—Kilimanur and Edappalli—have been already settled under Regulation IV of 1068. The only new principle that has been introduced by the Select Committee in this Bill is the imposition of *taravila*. *Taravila* was introduced as Government tax in 1069 and consistently with the position that Edavagai lands should be treated as Government lands, I do not find any objection in imposing *taravila* on Edavagai lands. Even if this House thinks that the imposition of *taravila* is unfair, the clause relating to this may be deleted. The Committee has made only verbal changes in regard to other provisions of the Bill. My submission is that the recommittal of this Bill is not at all necessary. If imposition of *taravila* is obnoxious to some of the members of this House, that Clause can be conveniently deleted from the body of the Bill. As this amendment is not at all necessary and expedient, I strongly oppose it.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Sir, having had the misfortune to be one of the signatories forming the majority in the Select Committee that sat on the Edavagai Bill and having been now accused of having spoiled the broth to such an extent as to necessitate the recommittal of the Bill, I find it necessary to reply, at any rate by way of self-defence, to the charges so baselessly levelled against us. I beg to be excused for having used the expression 'us' the plural, for

I am speaking only on my behalf, since I am afraid that any of my friends forming the majority group may stand up and remark that I have no business to speak on his behalf.

DEPUTY PRESIDENT : It is presumed that you are speaking only on your behalf.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : That is all right. I have no business to speak on their behalf. I am further sorry that all that has been said by Mr. Thanu Pillai is not in my mind just now especially on account of the lapse of time between the commencement and the close of his speech, though he was at pains to impress the House by repeated applications of his argument which he pressed in all the glow of fervid pathos for the tenants who in his imagination are poor people. Therefore the reply I am just now making is only in regard to such of the matters as I am able to recollect.

The mover of this amendment, Mr. Kunjukrishna Pillai, started by observing that considerable confusion has been introduced by the Select Committee in regard to the names of the subject-matter dealt with in the Bill, *viz.*, 'Edavagais' which he says have also been called by the name 'Estates', in some Sections of the Bill. In Mr. Kunjukrishna Pillai's opinion, when an Edavagai has been referred to as an Estate, it amounted to something like taking the particular Edavagai a peg down so far as its status is concerned. But Mr. Thanu Pillai who purported to support him did not evidently support him in that respect for according to Mr. Thanu Pillai it did not matter whether it is known as an Edavagai or as an Estate and he illustrated his view by saying that a being may be referred to as a man or an ass or some such thing.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I did not say anything like that. I should like to see that all these Edavagais are treated alike, called by the same general name and so forth. Reference to man and ass was just the other way. What I said was, I don't see why one man is called an ass and the other a man.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : So far as Mr. Thanu Pillai is concerned, what I understood was the name did not matter at all and I was simply referring to him to illustrate that even if a being is called an ass from his point of view it did not matter. It is only for that purpose that I referred to that. Now Mr. Puthupalli Krishna Pillai, speaking on the same subject, said the expression Edavagai is more derogatory than the other. So on this subject of naming Edavagai, we have got various conflicting views, so much so, I do not quite see how far this particular contention is really supported. So far as the expression Edavagai is concerned, it is in the Government accounts it is in statutes as much as the word Estate and the Select Committee thought that the expressions as used in the statute need not be tampered at all. Hence in referring to Kilimanur and Edappalli, since the statute used the expression Estate, the Select Committee retained it for the very good reason that there is already a statutory recognition of that expression in Travancore. In the Land Assignment

Regulation, in the Land Conservancy Regulation as well as various other Regulations, if I recollect correctly, the expression Edavagai is used. So then on this point of nomenclature, the criticism that has been levelled against the Select Committee has no basis. Then it was pointed out that all the Edavagais have not been put upon the same level so much so the report submitted by the Select Committee suffers considerably in the artistic presentation of the subject.

Then according to some of my friends, there are a number of other Edavagais the nature of which has not been ascertained quite well. They have been omitted from the Bill as it was originally put forward.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Has the Select Committee enquired whether there are other Edavagais?

MR. P, K. NARAYANA PILLAI (*Ambalapuzha I*) : Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What was the result of such enquiry ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : There was no other Edavagai fit to be legislated upon.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What are those Edavagais unfit to be included in the Bill?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) ; Detailed notes in regard to such matters are not now with me.

DEPUTY PRESIDENT; You need not answer that question, Mr. Narayana Pillai.

MR. PUTUPALLI S. KRISHNA PILLAI (*Quilon II*) : What was the sort of enquiry that was conducted by the Committee ?.

DEPUTY PRESIDENT : That question also need not be answered.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : Was it a public enquiry or mere examination of individuals ?

DEPUTY PRESIDENT : I do not think the member is in order when he puts questions about things, which occurred in the Select Committee, in such detail.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : I wish to have a ruling on a point of order. If a member is not in order *in asking questions* with regard to what took place in the Select Committee, I wish to know whether the member who is in possession of the House is entitled to *speak* upon those matters that took place in the Select Committee.

DEPUTY PRESIDENT : I presume that words are understood in their ordinary sense. When a question was put on a matter which appeared to be relevant, I allowed it ; but when a question was put on a matter which was not quite relevant and which under the existing parliamentary practice is not fit to be allowed, I disallowed that question.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : May I proceed, Sir ?

DEPUTY PRESIDENT : Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Yesterday, Sir, in this House, we had something like a heated atmosphere when the Matches Regulation was under consideration (*Laughter*) on account of the fact that the Regulation was intended to apply not only to matches but to a number of things which were not disclosed. That was the objection very rightly raised by my friend Mr. Kunjukrishna Pillai.

DEPUTY PRESIDENT: I suppose you are referring to that only as an analogy.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Yes. My friend Mr. Kunjukrishna Pillai rightly raised that objection, because the legislating body could not know exactly what it was legislating about. Similarly when the case of the other Edavagais was raised, we did not know what they were or whether they were prepared to accept the terms offered in this Bill to the Poonjar and Vanjipuzha Edavagais; for example, they have agreed to meet the cost of settlement undertaken by the Government. It was not known whether there was any other Edavagai to be settled. No such information was available. It was found difficult to undertake a piece of legislation without such necssary information. It was just like 'and other articles' in the Matches Regulation. And so we had to give up the other Edavagais.

As for the distinction between the Edappalli and the Kilimanur Edavagais on the one hand and the Poonjar and the Vanjipuzha Edavagais on the other, there is ample justification. So far as the Kilimanur Edavagai is concerned, the properties in the Edavagai have been settled as *pandarapattam* lands, not as lands belonging to the Chief at all. To bring in such an Edavagai under a category of Edavagais where the Chief is deemed to be the proprietor, more or less, is anomalous. Mr. S. Nilakanta Pillai, who came in as a member of the Select Committee to represent the people of Kilimanur, as he professed, was also of the opinion that it would be better to leave Kilimanur alone.

DEPUTY PRESIDENT: I do not think you need refer to such individual instances.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I beg your pardon, Sir.

Owing to a number of considerations like that, the two settled Edavagais of Edappalli and Kilimanur had to be separately considered. Also, the main provision in the Bill as revised by the Select Committee as also in the original Bill relate only to the settlement of the Poonjar and Vanjipuzha Edavagais. And the question of the settlement of these two Edavagais has absolutely nothing to do with the Edavagais of Kilimanur and Edappalli. The only provision that was found necessary in the case of Kilimanur and Edappalli was the application of the provisions of the Land Conservancy Regulation to the lands in these Edavagais. That has been provided for; and, to that extent, these Edavagais have been put on the same level as the two Edavagais now

proposed to be settled. Perhaps the provision in regard to the management of the Poonjar and Vanjipuzha Edavagais may also be extended to the Kilimanur and Edappalli Edavagais. Except for that, I do not think there is any force in the suggestion about special treatment being accorded to the Poonjar and Vanjipuzha Edavagais.

The main point that was discussed by Mr. Thanu Pillai in urging for the recommittal of the Bill was the introduction of the provision for payment of the *bete-noire taravila*. This, he thinks, was never contemplated at the inception of the Bill. Mr. Thanu Pillai suggests that the Select Committee travelled beyond their scope and had no jurisdiction to introduce this most objectionable thing, the *taravila*. He also pointed out that there are some complicated provisions necessitated by the imposition of *taravila*. I am very sorry to say that Mr. Thanu Pillai's observation, that *taravila* was first introduced by the Select Committee, is incorrect. Section 5 (1) of the original Bill says—

> "Subject to such rules as may be prescribed, the conduct of settlement and the proceedings of the Settlement Officer, shall, as far as may be, be regulated by the procedure for the time being in force relating to the settlement of Government lands."

And then, Section 9 says—

> "The assignment of land within an Edavagai shall be so regulated by the law for the time being in force relating to the assignment of Government lands."

Therefore, Sir, the idea, even under the original Bill, was to assimilate, as far as possible, the lands within the Edavagais of Poonjar and Vanjipuzha to Government lands. When this aspect of the matter is analysed, what strikes a lawyer going through the existing statutes is that the existing conditions and the nature of the holdings in the Edavagais cannot be disregarded Mr. Thanu Pillai emphasised two aspects of the case. Now, this Bill has been introduced by the Government, and naturally they did not deviate from what they have themselves done in regard to the settlement of their lands. They wanted, as far as possible, to adhere to their practice in the matter of the settlement of the Edavagai lands also. Mr. Thanu Pillai raised questions. 'Did not the Government settle their lands under the Royal Proclamation of 1061? Did they not also settle the lands of the Kilimanur and the Edappalli Edavagais in a similar manner after 1068? Did they realise any *taravila*? Therefore, is it not a sort of special, favourable treatment that is now sought to be accorded to the Poonjar and Vanjipuzha Edavagais?'. These questions, had they been well founded, are, certainly, very pertinent questions. But I have to point out that the whole argument is vitiated by a fallacy. In the year 1040, as Mr. Thanu Pillai himself said, by the Proclamation enacted by the Sovereign of Travancore, it was declared that the holders of certain varieties of land held on certain specific tenures, such as *venpattam*, *vechozhivupattam*, *morayilpattom*, *marayapattam* and *Darkastpattam*, the rents of which were supposed to be fixed till the next settlement,

[Mr. P. K. Narayana Pillai.]

were entitled to permanent occupancy rights; and so, in the case of such lands, such rights were conferred on the tenants by virtue of the Proclamation of 1040. Properties were held under other tenures also, but such other tenants were not given the benefit of permanent occupancy rights under the Proclamation of 1040. As examples, I may mention *kuthakapattam*, *nadupattam* and so on.

While matters continued like this, settlement operations commenced some time after 1061 in pursuance of the Proclamation of that year. Now, where was the possibility of realising anything, be it *taravila* or *vilayartham*, from a person who had already acquired permanent occupancy rights? The bulk of the lands were *pandarapattam* lands. Certainly they could not be settled subject to any *taravila*. The tenants were already permanent holders with fixity of tenure, heritable and saleable. Where was the possibility of levying any *taravila* in such cases? That was the condition of Government lands.

Now, turning to the Edavagais of Kilimanur and Edappalli, in the year 1068, before the settlement of these Edavagais was taken up, necessitated by the introduction of the Revenue Recovery Regulation, I of 1068, Government felt the necessity of introducing a measure so that, so far as the collection of revenue under Regulation I of 1068 went, there might be uniformity not only between Government lands and lands which used to be managed by Government or the rent from which used to be collected by Government.

The Edappalli Edavagai and the Kilimanur Edavagai were from long ago practically under the supervision and management of Government officers in the matter of the collection of their rents. So, necessitated by the introduction of the Revenue Recovery Regulation, I of 1068, as may be seen from the history of the Estate Rents Recovery Regulation, the Legislature introduced Regulation IV of 1068 and had necessarily to confer permanency of occupancy on the tenants of Edappalli and Kilimanur. No question of settlement was there. The step is referred to by the learned mover of that particular measure as having been necessitated by the exigencies of the collection of revenue and the measure makes the provisions for Government holdings *mutatis mutandis* applicable to the properties in Kilimanur and Edappalli. So it was not a settlement measure. It was the conferment of permanency of occupancy upon the tenants of these Edavagais, the Edavagais having already approximated themselves considerably to Government lands. When therefore the settlement of these properties was taken up, the tenants in possession of the holdings in Edappalli and Kilimanur were already permanent tenants.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Was it to preserve that that the Regulation was passed?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Certainly. It is also in recognition of the long-standing practice as the measure itself says.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Which Regulation?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Regulation IV of 1068. The preamble to that will clearly show that. So permanency of occupancy was there. Mr. Thanu Pillai is angry why the Sirkar did not realise anything by way of *taravila* from these people. How could they be asked to pay *taravila*? They were permanent tenants. Instead of their paying *taravila* probably *taravila* ought to have been paid to them were they sought to be disturbed. Mr. E. V. Krishna Pillai asked the other day whether provision has not been made for the settlement of permanent occupancy holdings in this particular measure. He raised a very pertinent question which Mr. Thanu Pillai, I am sorry to say, in spite of his intelligence did not catch. He simply indulged in a left-handed compliment to the Select Committee and said that they were not bad enough or mad enough to disturb a permanent right.

DEPUTY PRESIDENT: May I point out that the member suggests that another member was not able to understand, and that it is not fair?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I said that in spite of his intelligence he did not catch the point.

MR. A. THANU PILLAI (*Trivandrum—Rural*): A word of personal explanation. If the Chair will allow me, I shall answer that question.

DEPUTY PRESIDENT: I shall certainly allow you to make a very brief personal explanation on this particular point alone.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Let me finish what I have to say.

Now, when did this question of *taravila* itself originate? As my friend Rao Sahib Paramesvara Aiyar pointed out it was during the time of Dewan Sankarasubba Aiyar in the year 1069 that the question of *taravila* first of all came into existence. On the date Regulation IV of 1068 or the Pattam Regulation of the year 1040 was enacted, nobody could have anticipated the question of *taravila*. So to twist a subsequent Government notification as an argument and apply it to certain previous enactments and to bring it into the present controversy, I beg to submit, is not well-founded. Why did the Government themselves resort to *taravila*? The notification under the signature of Mr. Sankarasubba Aiyar is very clear. The tenants who take registries of land from Government get heritable and alienable interest, valuable in itself, and it is only proper that they should pay at least one rupee per acre, as he then put it, before they took the registry. I am asking the same question with respect to the present Edavagais. Suppose Mr. Thanu Pillai's sympathy secures for the tenants o

[Mr.P. K. Narayana Pillai]

Poonjar registries without the payment of a single cash. Would they not be making a profit out of the transaction? If an acre of land is registered in favour of a particular tenant of Poonjar, the next day he may transfer it to another for 500 rupees and make a profit.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Did all the landholders who got permanent rights transfer away their rights, because they got such rights?

DEPUTY PRESIDENT: That is a hypothetical question. The member need not answer it.

MR. A. THANU PILLAI (*Trivandrum-Rural*). My question was whether a large number of transfers was consequent upon these rights being conferred.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I am sorry I have not got statistics upon the subject, but I see that so many of the Sub-Registry offices established in the State are daily engaged in doing that business. My point is this. Mr. Thanu Pillai, when he brought in the analogy of Edappalli, Kilimanur and Government, was indulging in an unconscious fallacy for the purpose of thwarting the further progress of the Bill. I say it is an unconscious fallacy, for, knowingly, I am sure, he would not indulge in it. Therefore that argument does not appeal and cannot hold. The Select Committee therefore had to consider the question of the settlement of these lands and the assignment of these lands within the Edavagais. What are they to do? They have to settle for the first time these lands. They have to assign for the first time lands held on all manner of impermanent tenures in favour of the holders. The tenants have not got permanent occupancy of right. Some of them have got terms attatched to their holdings. Some of them hold lands under covenants. All the same I say they have not got anything like absolute right. The proprietory right continues with the Chief. Therefore he has to assign the lands in favour of the tenants under the terms proposed in the Bill. What does the Government of Travancore do just now for the purpose of assigning their lands, not only waste lands but also lands held on the sort of tenures that I was speaking about, for example, upon *nedupattam*, escheat, etc. and also on *kanapattam*? When the Government want to register these lands, 'pay down the *taravila*' is the first stipulation. Mr. Thanu Pillai is not aggrieved by that and the Government are realising, as Mr. Rama Varma Raja's dissentient note shows, at least Rs. 25 in the neighbourhood of the lands that we are now proposing to deal with. Therefore, when legally analysed, there is absolutely nothing like any objection in demanding *taravila* from the holders of *pattam* lands in these Edavagais. That is exactly what an analysis of the rather clouded provision contained in Sections 5 and 9 of the original Bill would lead to. The Select Committee had to make things clear. The question of *taravila* was raised during the discussion upon the very introduction

of the Bill. Mr. Paramesvaran Pillai, the mover of the Bill, when he was questioned, said that the matter would be considered by the Select Committee. This is not the first time therefore that this matter originates. The learned members of the House understood that the question of *taravila* would have to be taken up. We had to clarify the position. What are the principles on which *taravila* may be claimed ; that was what the Select Committee had to consider first. Is it therefore an importation of anything by the Select Committee? So long as the settlement had to be completed on the lines laid down by Government and the assignment of lands also had to be made on the lines laid down by Government, a demand for *taravila* is an absolute necessity. That is exactly what the Government does. So, Sir, it is not a novel introduction by the Select Committee - this *taravila*, and therefore the justice of the demand for a *taravila*. My friend Mr. Thanu Pillai said that the tenants in these Edavagais were poor. There may be poor tenants; but there are very rich tenants, much richer than the Poonjar Chief and many of us. As many as 600 acres and 700 acres are held by planters within this Edavagai. They are tenants. Are they poor people ? There are persons who have planted 20,000 coconut trees on lands held on ordinary *venpattam* from the Poonjar Chief. Again 6,000 acres of land are held by the Poovarani Devaswom. Are these poor people ? Are they unable to pay *taravila*?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Are there not poor people in these Edavagais?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : There may be.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : What about them ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I say that I am objecting to the general characterisation of tenants as poor. There may be poor people also. In fact there must be. Where there are rich people, naturally poor people would be attracted. So I am saying that the sympathy of Mr. Thanu Pillai is more or less imaginary.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, the sympathy is real, though probably it may have been misplaced.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : That is what I meant. On the other hand, look at the other side of the question. There are the Poonjar Chief and the Vanjipuzha Chief. I know, Sir, that owing either to the spread of education, the tendency of legislation or the socialistic movements or any other thing, some people are unable to control a sort of dislike when they hear the names of Chiefs or aristocrats. They are in the same position as the man who sang the ditty about Dr. Tell.

"I do not like thee Dr. Tell,
The reason why I cannot tell full well
But this I know and know
I do not like thee".

DEPUTY PRESIDENT: You are making this observation not with regard to any members of this House?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Oh, no; far from it. In the present instance you are asking the Chief to do various things. First of all, the Chief has to give permanency of holding to his tenants. He has to confer permanency of tenancy. He has to see that his tenants get necessary votes as subjects of the State. If Mr. Thanu Pillai's case is to be upheld, he will have to forego *taravila*. *Tadivila* he has to forego. Even Government has not to forego that. In addition there is the burden that he has to meet the settlement charges. It is a very serious thing. For all the sacrifices and heavy obligations, the Chief, it is intended, has to be paid nothing.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know the amount he has to pay now?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Very litcle.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know the amount he has got to pay if the Bill is passed?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) There may be difference.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know the amount he is entitled to get?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Remains to be seen. Thus the position of the Chief would become very difficult. Why should the Chief be made to pay the demand under the Land Assignment Regulation? An ordinary tenant has to meet the survey charges, the demarcation charges and other charges before he can claim a plot of Sirkar land. Here in the Edavagai, the tenant is freed from all these difficulties. The whole burden is placed on the Chief. A consolidated debt is placed on his head.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is it the member's opinion that these charges should be met by the tenants?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): If the principle of the Land Assignment Regulation is to be applied, the tenants will have to meet them. Under the Land Assignment Regulations that is the provision. We have practically adopted the Government rules upon the subject. Naturally it is the tenants that have to meet the charges for demarcation and survey.

MR. T.P VELAYUDHAN PILLAI (*Tiruvalla III*): സർവെ ബൌണ്ടറി റഗുലേഷനിൽ എങ്ങിനേയാണെന്നറിയാമോ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): In the Survey and Boundaries Regulation also the provisions are similar. After all, what is the *taravila* that is claimed? It is only Rs. 15 per acre on dry land and Rs. 50 per acre on wet lands, which do not exist in the Poonjar and Vanjipuzha Edavagais. It is only for the sake of remote contingencies and adherence to Government rules that the wet lands are brought in. These Edavagais are practically hill tracts.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) Has the member any idea of the approximate amount?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I have not.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Would it come to Rs. 10 lakhs?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Oh, no because all the property would not be occupied It is a hilly tract that we have to deal with About 6,000 acres belong to Poovarani Devaswom.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Does the member think that *taravila* of Rs. 15 is too high a rate?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Not in the least. We are creating troubles for the Government of Travancore also. A minimum rate of Rs. 25 is realised as *taravila* from those properties carved out of the Poonjar Edavagai on the borders of the State. On this side, you are asking the Poonjar Chief to go without any *taravila*. Why should the occupants of Sirkar land pay when Edavagai tenants go scot-free? Will it not affect the value of Government land? These are some of the main points.

There are also other points raised by Mr. Thanu Pillai. He brought in the analogy of some beau-ideals of tenancy legislation. I have no time to deal with them. What I say is that nothing is going to be gained by a recommittal. We know the facts and circumstances. As honourable members of this House, let us co-operate with the Law Member to carry out this measure in the best interests of the Chiefs and the tenants. Nobody wants to ruin the tenants or to give undue advantage to the Chiefs. We want to see that justice is done to all. The tenants are numerically strong. That is no reason to depress the Chiefs. This House consists of learned and honourable members. We should see that justice is done to both the parties.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I want to ask one question.

DEPUTY PRESIDENT: Mr. P. K. Narayana Pillai has sat down.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): It is because I have stood up.

DEPUTY PRESIDENT: If Mr. P. K. Narayana Pillai is prepared to admit that he sat down after you stood up, I will allow the question.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Because I was reminded that I was exceeding the time limit, I did not want to take up further time. Therefore I sat down.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I want to speak a few words by way of explanation. What I meant was this. Some land-holders in Poonjar and Vanjipuzha have already got permanent rights of occupancy by purchase. They will no doubt continue to have their rights even in accordance with the provisions settled by the Select Committee. In 1040, by a Proclamation permanent occupancy rights were granted to *venpattam* tenants holding lands under the Sirkar. In 1068, the same rights were declared in favour of *venpattam* tenants in the estates of Edappalli and Kilimanur. The present measure is not merely for the settlement of Poonjar and Vanjipuzha, but

also to confer permanent occupancy rights on the tenants there. The *venpattam* tenants of Poonjar and Vanjipuzha are at present in the same position as that in which *venpattam* tenants of Edappalli and Kilimanur were just before permanent occupancy rights were conferred on them. Therefore I say that permanent occupancy right should be conferred on the tenants of the former two Edavagais without the levy of *taravila* as was done in the case of tenants in the other two Edavagais. The fact that, in the case of Poonjar and Vanjipuzha, settlement and the conferring of permanent occupancy rights are done at the same time should not make any difference.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to oppose this amendment. The amendment is that the Bill be recommitted. That amendment has been moved on my motion that the Bill be taken up for consideration. I would request the members to consider what exactly arises for determination on the amendment. As I said, the amendment is that the Bill be recommitted. That means the Bill will go to the same Select Committee. It has therefore to be borne in mind that the Bill has to go to the same members of the Committee who has now reported on it. Secondly, it should be noted that the amendment motion does not lay down any limitation on the recommittal or give any instruction to the Committee for their guidance on any point. It does not say that the Committee should consider and report upon any specific point. Say, for example, it does not say that the *taravila* should be levied or should not be levied. On the other hand, what has taken place on this motion is that a general discussion was carried on either on the merits or demerits of the Bill as reported. Let us assume for a moment that the Select Committee did not do their work properly. I am not saying that it did so. For argument's sake, let us concede it like that for a moment. By this amendment, this Committee to which the Bill may be recommitted is not being instructed or directed to do this thing or that thing or to consider and report on any specific point. Whatever arguments may have been advanced by the various individual members in this House, it cannot be said to amount to a decision arrived at by this House. For instance, Mr. Thanu Pillai as leading speaker in support of the amendment has advanced various arguments. When I refer to Mr. Thanu Pillai as the leading speaker, I do not mean to cast any reflection on the other speakers. I say so because he made a lengthy speech. Now his arguments or views cannot be considered to be a decision of the House binding on the Select Committee nor as any instruction to the Committee. That being so, some very weighty reason should be shown why the Bill should be recommitted.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Cannot an opinion be gathered by the general discussion carried on in this House?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No, no opinion of the House as such can be gathered.

Mr. Thanu Pillai was a leading speaker in support of the motion. He was also a member of the Select Committee. If you compare his arguments here with his dissenting minute, you will find that his speech is but a development of his minute. It might be presumed

therefore that he has brought all these points to the notice of the Select Committee. I am not disclosing all that took place in the Select Committee. I am only saying that it can very reasonably be presumed that he brought all these points to the notice of the Committee. Yet they came to the judgment that they have now come to. So, if the Bill is to be committed to the same Committee what use is it going to serve?

MR. K. R. ELENKATH (*Kalkulam I*): Does it mean that the Bill should be recommitted to the same Select Committee comprising the same members?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, it will have to go to the same Select Committee, that is the motion.

MR. K. R. ELENKATH (*Kalkulam I*): To *a* Committee or to the *same* Committee?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) The same Committee, such is the motion before the House. If all the points that have been raised by individual members had been really brought to the notice of the Select Committee already and they still came to the judgment that they arrived at, what is the use of asking the same Committee to deal with the same points and come to another judgment? It would perhaps be open to tell this Committee "you proceed with one particular point and report upon it" or some such thing. For instance, much has been said about *taravila* that is proposed to be levied on the land. I would have been very glad if that question had been made a subject of decision on this motion and the Committee asked to reconsider. It is not proposed to lay down anything specific at all by the motion. Suppose the House decides that *taravila* should not be levied. If it is so decided, then a substantial portion of the Bill would have to be recast and the Committee may be asked to redraft it. But the Assembly has not and is not asked to come to any such decision. There was only a general discussion and the Committee is asked to reconsider the Bill. The Committee has already presumably considered the points raised here, because Mr. Thanu Pillai was in the Committee, and they have come to a judgment. It is clear that there can be no use whatever in recommitting the Bill. It is open to the House to correct the judgment arrived at by the Committee or to give specific instructions. I fail to see however what useful purpose is going to be served by such a recommittal as is proposed by the motion.

MR. M. SIVATANU PILLAI (*Tovala*): Can it not be taken as a token motion recording the disaffection of this House of the work of the Select Committee?

DEPUTY PRESIDENT: Token motion is in a financial matter and not in a legislative measure.

Mr. Kunjukrishna Pillai may have his reply.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I may point out that the mover of an amendment has no right of reply.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, may I know from the Law Member the exact rule under which he takes shelter?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Para 67 of the Manual, page 26.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is there not a provision for recommittal without limitation?

DEPUTY PRESIDENT: The member is too late in saying that. The Rule says that "a member who has moved a motion may speak again by way of reply……… …provided that nothing in this sub-order shall be deemed to give any right of reply to the mover of an amendment to a Bill…………save with the permission of the President." I exercise my discretion and hold that Mr. Kunjukrishna Pillai may be allowed to speak.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, in view of the objections taken by the Law Member against my amendment for recommittal of the Bill as redrafted by the majority of the Select Committee, I wish to be permitted to answer the technical objection raised by him. He says that, if the Bill is to be recommitted, it will only go to the same Committee. That Committee is presumed to have tackled all the arguments which have been put forward in this Assembly at this Session. The leading speaker of the motion Mr Thanu Pillai who was a member of the Committee has almost exhausted on the floor of the House all the points dealt with in his dissenting note. It may be presumed that all these points will have again to be brought to the notice of the Select Committee and if the original Committee were again to function what is the purpose of the recommittal. That is the question. On reading StandingOrder 98, page 35 of the Manual, sub-clause (1) and (2), there is a provision for recommittal of the Bill without limitation and my motion does not say that the Bill should be recommitted to the same Select Committee.

It is not specifically stated that the Bill should be recommitted to the same Select Committee. It is open to the Law Member to include names of members who sat on the old Committee to a fresh Select Committee. In other words, he can suggest another Select Committee and include those names and it can be done without any limitation.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Limitation of what?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Limitation of the points that have to be considered.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Is it limitation, with respect to any particular portion of the Bill?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes, particular points of the Bill may be referred for consideration or the whole Bill can be recommitted unconditionally. It is no defect at all. For instance, portions of the Bill relating to *taravila* are not definite; with a view to see that all possible defects in the Bill as pointed out by the House may be rectified, provided a chance is given, I think there is no fatal objection, any insurmountable difficulty for taking up this Bill to another Select Committee and consider it carefully, making the necessary amendments in the light of the discussion that took place now.

MR. S. J. NAIR (*Nedumangad*): Is it the member's point that the member in charge of the Bill alone has got the power to such recommittal of the Bill or any member has got the power under Rule 98 to suggest recommittal?

DEPUTY PRESIDENT: Mr. Kunjukrishna Pillai's motion is in order.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I do not think there is any technical objection for recommittal. There are, I do suggest, specific points for consideration in the new Bill.

DEPUTY PRESIDENT: To facilitate discussion, may I say this? The amendment reads "that the Travancore Edavagai Bill as redrafted by the Select Committee be recommitted." Mr. Kayalam Paramesvaran Pillai's observation was that, if it is to be recommitted according to the vote of this Assembly, it has necessarily to go to the very same Committee, because the word 'another' does not find a place in the amendment. That is Mr. Paramesvaran Pillai's point.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): My contention is, neither have I suggested that the Bill should be recommitted to the same Committee. I have not committed myself either way. It is open to the mover of the Bill, in the light of the discussion that has taken place, to ascertain the wishes of the House and act with the assent and co-operation of all.

DEPUTY PRESIDENT I think, the member need not pursue that point further, because we go by the expressions used in the amendment. The amendment proposed does not suggest *another* Select Committee so further discussion is unnecessary on that point.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) Nor is it said that the Bill should be recommitted to the same Committee.

MR. K. C. ABRAHAM (*Kottayam II*): I have a question to ask my friend just to make the position clear. After the Select Committee has presented its report and done its duty, may I know, is there now in existence a Select Committee?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): No. That point strengthens my argument further. I am thankful to the member for that suggestion. All that it means is, points which require further consideration can go only to a new Committee.

DEPUTY PRESIDENT : To facilitate discussion and to avoid waste of time, am I to understand that Mr. Kunjukrishna Pillai's suggestion is that the Bill should be referred to a defunct Committee?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : If that is deemed necessary, the Bill may be permitted to go to a Select Committee of *this* Assembly. There is no insurmountable difficulty in that. What I suggest is this. It will be seen there is strong difference of opinion that certain provisions of the Bill as re-drafted by the Committee are innovations affecting the fundamentals of the Bill as once accepted by the House and committed to the Select Committee. I do not think it can be seriously urged that the changes that have been made are little, are not fundamental and so a new Select Committee is not necessary. There are various points to be dealt with. It might be necessary to take evidence and ascertain the views of the tenants more fully. It might be possible to arrive at a greater common measure of agreement with regard to this Bill, which will certainly facilitate its passing. I am not putting any obstacles in the way of Edavagais functioning properly. No time could be gained by disallowing this motion for recommittal. Possibly the Assembly is going to lengthen the period for the passing of this Bill, because of the controversial provisions and amendments as they stand now, if incorporated, will seriously affect the rights of the tenants of the Edavagai's and —

DEPUTY PRESIDENT : The desire to save time does not arise and so no more comment need be made on that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : My point is that this legislation is not urgent. If the Bill is considered by a Select Committee carefully and only necessary provisions are brought for discussion in this House, it will be easier to get through the Bill and nobody need be anxious that the Bill—

DEPUTY PRESIDENT : I am sorry, I have to interrupt Mr. Kunjukrishna Pillai in his speech. If he omits the word 'carefully' in your comment, I can allow you to go on.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): My point is—

DEPUTY PRESIDENT : The member said that if the Select Committee hereafter considered the Bill carefully and all that. The word 'carefully' creates an aspersion on the Committee.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I never meant that But I say, the Committee was too careful, over careful. I did not mean any insinuation. Far from it. I only say they were less careful, I have not the faintest idea that they were less careful. As a matter of fact, they sat over the Bill for 17 days, So much so, they have altered the very phase of the bill, they have altered it beyond recognition. Can I say then that they were not careful? No, never; and I never meant that. What I suggest is, if this Bill is committed to a Select Committee in view of the discussion or expression of opinion that has taken place in this House, it may be helpful and expedient, to redraft the Bill on these lines and it will be easy to have the Bill passed.

Sir, nobody is anxious to do anything against the interests of anybody. It is far from me. We ought to be and we are all, I suppose, anxious that justice should be done to all. Legislation should take its normal course, without fear or favour. And as suggested, I consider it legitimate and proper for this Assembly to have this Bill scrutinised further; and if a case has arisen for recommittal, I submit, in all humility, it is here. Now, here is a fit case for recommittal. I do not wish to go into details. I refrain from considering the question of the desirability or otherwise of the *taravila* or *tadivila* or other provisions of the Bill. I retain to myself the right of speaking when—

DEPUTY PRESIDENT: That undertaking is not necessary.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): While speaking on the amendment, I do not wish to refer to the arguments adverted to by my friends and replies thereto. I do not wish to commit myself as to the desirability or otherwise of the provisions relating to *taravila*, etc. On the ground that the Bill has received substantial alterations at the hands of the Select Committee and that it has brought a new Bill to this Assembly, this Assembly has to consider the motion for re-committal. Again the question of *taravila* is a matter which affects a considerable population of the State and this has to be considered as though it is a matter affecting our interests as well.

DEPUTY PRESIDENT: I am very sorry to interrupt a speech. Will the member omit the word carefully in his speech?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I said that the Bill should be carefully gone through. I used it only as a suggestion and I did not mean to impute anything to the members of the Select Committee. Far from that, they were very careful, too careful and over-careful. They had not submitted their report without adequate scrutiny. They were sitting over it for 17 days and considered it minutely. They have altered all important recommendations. Can I say they were not sufficiently careful? Am I mad to say that? It is far from my mind. What I suggest is that, if the bill is re-committed to a Select Committee, in view of the discussion that has taken place, in view of the opinion that has been expressed, it may be helpful, it may be expedient to redraft the Bill on these lines and it will be very easy then to get the Bill passed.

Sir, nobody is anxious to do anything against the interests of anybody. It is far from my mind, but we ought to be, and we are all anxious, I suppose that justice should be done, to all that all legislation should take the normal course without fear or favour and as such, I consider it will be the right of the Assembly to have it scrutinised further. If a case has arisen for recommittal, I submit that this is the best case for a recommittal and I do not wish to go into the details and comment on the desirability or otherwise of the various

[Mr. K. Kunjukrishna Pillai.]

provisions. I refrain from doing that even when I move my amendment. Sir, I refrain from considering the question of the desirability or otherwise of the *taravila* or other provision of the Bill. I retain to myself the right of speaking when the amendments on this Bill are moved. The Bill has received substantial alterations in the hands of the Select Committee and this Assembly,—considering that it is a matter that affects a considerable population, whose interests are not well represented in this House—it has to be considered as though this question of *taravila* affects all of us. What would be our attitude if the question of *taravila* affects all of us? What would be our opinion, and what would be our attitude? All these have to be considered carefully and I wish to appeal to the members once more, and that is, that it would be desirable to pass the Bill after the Bill is committed to a Select Committee which may be directed to scrutinise it, and bring it, if the House so desires, say, even within two or three months and we can pass the Bill then, without any difficulty. The House must fix a time limit and that would be satisfactory in the interests of all. So, I do strongly appeal to all members, as a matter of right, that this new Bill, virtually it is a *new* Bill, that has been submitted to the House, should go through the usual process of other Bills through the scrutiny of a Select Committee before it is taken up for consideration. I do not wish to dilate upon other points, so, I wish to appeal to one and all once again for the acceptance of my amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): My objection to the motion is not that there is anything technically wrong. My objection to the motion is that, as it stands, it can serve no useful purpose.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I wish to speak a few words more by way of explanation to that point.

DEPUTY PRESIDENT: The member need not raise that point. Now, the motion may be put to vote. Mr. Kunjukrishna Pillai's motion is "that the Travancore Edavagai Bill, as redrafted by the Select Committee, be re-committed."

The motion was put to vote and lost, 8 voting *for*, 45 *against* and 14 remaining *neutral*.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I demand a poll.

A poll was taken with the following result:—

AYES—8.

1	Mr. P. Chidambaram Pillai	5	Mr. S. Nilakanta Pillai
2	„ A. S. Damodaran Asan	6	„ Changanachery K. Paramesvaran Pillai
3	„ Puthupalli S. Krishna Pillai	7	„ A. Thanu Pillai
4	„ K. Kunjukrishna Pillai	8	„ N. E. Varughese

NOES—45.

1	Mr. N. Abdur Rahiman Sahib	24	Mr. E. K. Kunjuraman
2	„ K. C. Abraham	25	„ C. O. Madhavan
3	„ T. K. Alexander	26	„ M. K. Madhavan Pillai
4	„ S. Chattanatha Karayalar	27	„ P. C. Narayanan Bhattatiripad
5	„ A. Easwara Pillai (*Kalkulam II*)	28	„ K. A. Narayana Pillai
6	„ A. Easwara Pillai (*Kottarakara*)	29	„ Pacode A. Narayana Pillai
7	„ Antony George	30	„ P. K. Narayana Pillai
8	„ K. George	31	„ G. Nilakantan
9	„ M. Mahomed Haneef	32	„ R. Nilakanta Pillai
10	„ S. J. Nair	33	„ K. Padmanabhan
11	„ M. K. Janardana Kamath	34	„ N. K. Padmanabha Pillai
12	„ T. S. Jayantan Nambootiri	35	Rao Sahib S. Paramesvara Aiyar
13	„ N. John Joseph	36	Mr. Kayalam Paramesvaran Pillai
14	„ T. C. Joseph	37	„ V. Ramakrishna Panicker
15	„ K. C. Karunakaran	38	„ R. Raman Pillai
16	„ T. T. Kesavan Sastri	39	Rao Bahadur N. Ramanuja Aiyangar
17	„ K. M. Krishnan	40	Mr. K. Sankaran
18	„ K. P. Krishna Menon	41	„ R. M. Statham
19	„ E. V. Krishna Pillai	42	„ G. B. E. Truscott
20	„ N. K. Krishna Pillai	43	„ T. P. Velayudhan Pillai
21	„ T. Krishna Pillai	44	„ P. G. Rama Varma Raja
22	Rao Sahib Dr. N. Kunjan Pillai	45	„ N. Govinda Menon
23	Mr. C. V. Kunjuraman		

NEUTRALS—14.

1	Mr. V. T. Chacko	9	Srimati T. Narayani Amma
2	„ K. R. Elenkath	10	Mr Edavanatt S. Padmanabha Menon
3	„ E. H. Francis	11	Kainikkara M. Padmanabha Pillai
4	„ Pottayil S. Krishna Panicker	12	„ M. Sivatanu Pillai
5	„ K. M. Kuriakose	13	„ S. Thiraviyam Nadar
6	„ K. Madhavan	14	„ V. K. Velappan Nair
7	„ K. Mahomed		
8	„ M. N. Nair		

The motion was declared lost.

Clause 1.

DEPUTY PRESIDENT: We shall proceed to the Clauses. The first amendment is to clause I, Sub-Clause (3).

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I move to substitute the word 'Edavagais' for 'Estates' before the words "of Kilimanur and Edappalli" in Sub-Clause III, that is, Edavagais of Kilimanur and Edappalli instead of Estates of Kilimanur and Edappalli.

[Mr K. Kunjukrishna Pillai.]

Sir, the object of this motion is to secure uniformity of legislation; when the Bill was brought to the House, at first, it was intended to provide a consolidated legislation for all the Edavagais. I do not see the reason for deviating from that principle and to discriminate as between Edavagais.

The term Estate is applied to the Edavagais of Kilimanur and Edappalli in the Rent Recovery Regulation. But this House on a previous occasion affirmed the principles of a Bill which purported to give a consolidated piece of legislation to all Edavagais and proposed to repeal the Rent Recovery Regulation. Under these circumstances, I suggest that the term Edavagai be substituted for Estates in respect of Kilimanur and Edappalli.

MR. S. J. NAIR (*Nedumangad*): With the permission of the Chair, wish to say a few words.

DEPUTY PRESIDENT: Mr. S. J. Nair is out of time. He is out of rder.

MR. S. J. NAIR (*Nedumangad*): With the permission of the Chair, shall I amend choosing a compromise? Whether it be a compromise for further amendment or not, I do not exactly oppose the motion that has been brought forward by Mr. Kunjukrishna Pillai.

DEPUTY PRESIDENT: Mr. S. J. Nair, what is your idea? Now let us have your corrected amendment.

MR. S. J. NAIR (*Nedumangad*): I propose that after the word Estates and before the word 'Kilimanur,' within brackets, 'Edavagais' be added.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I object to this amendment on the ground that no notice has been given.

DEPUTY PRESIDENT: I permit him to move the amendment.

MR. S. J. NAIR (*Nedumangad*): I move that amendment in order to make clear the objects and reasons of the Bill. When the Bill was brought forward before this House, it was stated that the expression was used for Kilimanur and Edappalli and further for the reason that the expression is much more geographical and does not spoil the sense of the term Estate. So, I beg to move that after Estates, within brackets, 'Edavagais' be added.

DEPUTY PRESIDENT: Is there anybody to second this?

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): I second the amendment, and in doing so, I may state that Regulation IV of 1068 refers to Estates and not to Edavagais. As Mr. Kunjukrishna Pillai pointed out, it is not correct to draw a distinction between some Edavagais and others, in the matter of nomenclature calling the former alone Edavagais and the latter Estates. In this Bill it is desirable that we should use the word Edavagais throughout, while, at the same time

recognising that in Regulation IV of 1068 the word Estates alone is employed. So the amendment which my friend Mr. S. J. Nair has brought forward will be in order. It will include both the words Estates and Edavagais. The word Edavagai, it seems to me, is an expression which has nothing to do, as far as I am aware, with the word cattle. Edavagai is what belongs to an *Edam*. *Edam* is the *sthanam* of a person who holds semi-sovereign rights. ഇടത്തിലേതാക, ഇടവക. This word is employed in all revenue records, and in the Land Revenue Manual, and it is for that reason that I second the amendment.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I wish to say a few words in supporting the motion of Mr. Kunjukrishna Pillai. After listening to the special suggestions and references about this matter, I have begun to entertain very alarming ideas about the retention or substitution of the expression "Edavagais". The learned Law Member seems to doubt the propriety of substituting this word Edavagais for Estates in Sub-Clause (iii). There must be some reason for the Law Member's objection.

There must be some reasons why the Law Member should entertain such doubts because I have never seen him objecting to things about which he has no apprehensions. He has always some substantial reason. The learned mover of this amendment has reasons of his own. In legislative enactments the same idea must be expressed in the same words. One set is referred to as Estates. Are they not also Edavagais? Is there any particular dignity attached to the use of any one of these expressions? It is likely therefore that apprehensions or doubts might be entertained. Of course I am not in a position to contravert the high authority of the honourable member Mr. S. Paramesvara Ayar that an Edavagai does not imply anything bad. In the Quilon District there is one class of persons known as *Edanair*. There are several villages in which such Nairs are obtainable in abundance. I do not know whether the expression 'Eda' attached to the word Nair has anything to do with the idea expressed by the honourable member.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): As a matter of personal explanation, I would say that there is much difference between the terms 'Eda' and 'Ida'.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I find from the report that it is Eda. It may be *Eda* or *Ida*. It depends upon the taste and fancy of the speller as was once said by Mr. Sam Weller.

DEPUTY PRESIDENT: On a point of language, you quote Mr. Weller as authority?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): A misinterpretation does not guarantee correctness. It is safe we do not make any distinction between these. Therefore let us have either the word Edavagai or the word Estate. As it is not possible to make use of the expression Estates, in order that it may be applicable to the two Chieftains of Poonjar and Vanjipuzha, I think this or the other alternative may be adopted.

MR. M. SIVATANU PILLAI (*Tovala*) : In the absence of any sound arguments on both sides, is there any objection to combine both the terms *Eda* and Estates ?

DEPUTY PRESIDENT : The question is not in order. If Mr. Sivatanu Pillai is prepared to delete the former portion, I am prepared to allow it. As it stands, I cannot allow it.

MR. PUTHUPALL S. KRISHNA PILLAI (*Quilon II*) : Of the two amendments that are before the House, one is that the expression Edavagai can be made applicable to both sets of Chieftains. The other is both the terms may be used. I am not for these unnecessary embellishments in legislative enactments. Let us have clearness of language or let us make the language as brief as possible. The interpolation of Edavagai in brackets would be like persons keeping their moustache only on one side or something like that. Let us have moustaches on both sides. Let there be homogenity. Put estate within brackets on the other side.

DEPUTY PRESIDENT : All these are absolutely irrelevant. We are talking of the meaning of words. Of course reference may be made to anything the member thinks necessary. But we should not make any serious attempt to explain any language and to use machinery which is irrelevant.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I was only trying to make language impressive; that is all, and I do not mean anything else.

DEPUTY PRESIDENT : You may proceed with the argument.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I wish to know which is the amendment before the House now. Is it the motion of Mr. Kunjukrishna Pillai ?

DEPUTY PRESIDENT : There are two amendments before the House and the members can speak on either of them at a time.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : But taking votes can relate only to one.

DEPUTY PRESIDENT : Mr. E. V. Krishna Pillai and other members are at liberty to speak on such amendment as they choose.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : Sir, I have to offer some remarks with regard to the amendments that are before the House.

MR. K. R. ELENKATH (*Kalkulam I*) : Is the member supporting any amendment ?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : That the member will understand from the trend of my speach.

DEPUTY PRESIDENT : That is not right. You must say whether you support or oppose both the amendments.

MR. S NILAKANTA PILLAI (*Chirayinkil II*) : I oppose both the amendments.

DEPUTY PRESIDENT: You can oppose only one amendment at a time.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): The Chair a little before told some member here that he can speak on both the amendments.

DEPUTY PRESIDENT: What was said by the Chair was that there are two amendments before the House and the members may make a choice.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I oppose both the amendments. First, with regard to Mr. Kunjukrishna Pillai's amendment—

DEPUTY PRESIDENT: We are doing here very serious business and I wish the House will rise to its full responsibility in dealing with this question. Mr. Nilakanta Pillai will proceed, and I would request you gentlemen that questions may be put only when necessary and not merely in a light way.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): The *Desoms*, Poonjar, Vanjipuzha, Kilimanur, and Edappalli stand on a different footing. The conditions of property obtaining in Kilimanur are not like those obtaining in any other *Desom*. In Kilimanoor the properties are *Pandaravaga* lands. The Kilimanur Chief has no proprietorship over the properties. Government is the proprietor of the lands in Kilimanur. In all the Government records you will see that they are *Pandaravaga* lands. So I want to maintain some sort of distinction between the properties in Kilimanur and the properties in Vanjipuzha, Poonjar and Edappalli. I do not attach much value to difference in names; yet we have to see that the properties in Kilimanur are not the properties over which the Chief has ownership. We want to see that some sort of distinction is maintained. Moreover in this Bill, the term Edavagai is defined. If that definition is taken away, then I have no objection that Kilimanur is also called an Edavagai. But as long as this definition is retained there, I have very serious objection to Kilimanur being called an Edavagai. With these remarks I oppose the amendment of Mr. Kunjukrishna Pillai.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Is the member able to draw any distinction between Edappalli on the one hand and Vanjipuzha and Poonjar Edavagais on the other? Has he any objection to these being named Edavagais, whatever may be the case with Kilimanur?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I may tell the member that I am not in a position to make any distinction between Edappalli on the one hand and Vanjipuzha and Poonjar on the other. I know as a matter of fact that properties of Kilimanur are *Pandaravaga* lands. For example, there are in Kilimanur *Erayili* properties. Last year the Kilimanur Chief sent notices to the holders of *Erayili* properties saying that the (*Oozhiyam*) service for which properties are held is to be stopped and the Kilimanur Chief wanted the holders thereof to enter into an agreement and execute lease deeds but the tenants refused to do so on the ground that the Kilimanur Chief has no such right. I maintain

that the Kilimanur Chief has no right to take away those properties from the tenants.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the Kilimanur Chief is exempt from payment of land revenue to our Government?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): With regard to that, in the year 903 M. E. or so, the Kilimanur Chief has been given only the right to collect the revenue and no other rights. So I still maintain that the Kilimanur Chief has no ownership over the properties.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I wish to know from the member whether it is his suggestion that the Kilimanur Chief is exempt from the payment of tax due to Government?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Yes, he is exempted.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): In view of the admission, what is the suggestion of the member when he stated that, so long as the definition of Edavagai stated in the Bill holds good, Kilimanur is no Edavagai?

DEPUTY PRESIDENT: That you are not *bound* to answer, Mr. Nilakanta Pillai. You may answer, if you please.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I do not propose to answer.

MR. N. E. VARUGHESE (*Tiruvalla I*): സർ, ഞാൻ അമൻറ്മെൻറിനെ പിൻതാങ്ങുന്നു.

DEPUTY PRESIDENT: ഏതു് അമൻറുമെൻറിനെയാണ് പിൻതാങ്ങുന്നതു്?

MR. N. E. VARUGHESE (*Tiruvalla I*) മി. കുഞ്ഞുകൃഷ്ണപിള്ള ഇവിടെ അവതരിപ്പിച്ചിരിക്കുന്ന അമൻറുമെൻറിനെയാണ് ഞാൻ പിൻതാങ്ങുന്നതു്. ഈ ബില്ലിൻെറതലക്കെട്ട് ഇടവകബിൽ എന്നാണ്. ഈബില്ലിൽ പതിനേഴാംവകുപ്പു മുതൽ ഇടപ്പള്ളിയേയും കിളിമാനൂരിനേയും സംബന്ധിച്ചും രണ്ടുമുതൽ പതിനേഴുവരെ വകുപ്പുകൾ പൂഞ്ഞാററിനേയും വഞ്ഞിപ്പുഴയേയും സംബന്ധിച്ചുമാണ പ്രസ്താവിച്ചിരിക്കുന്നതു്. ഇങ്ങിനെ രണ്ടുതരമായി തിരിക്കുന്നതിന് ചരിത്രസംബന്ധമായോ മററു സംഗതികളാലോ ഉള്ള കാരണങ്ങൾ എന്തെല്ലാമാണെന്നു റിപ്പോർട്ടിനെപ്പററി നടന്ന വാദപ്രതിവാദങ്ങളിൽനിന്നും മനസ്സിലാകുന്നില്ല. ഞാൻ ഇടപ്പള്ളിയിലെ ഒരു കുടിയാൻ ആണ്. ഇടപ്പള്ളിരാജാ എന്നും ഇടപ്പള്ളിസ്വരൂപം എന്നുമാണ് ഞങ്ങളുടെദിക്കിൽ ഇടപ്പള്ളിയെപ്പററിപറഞ്ഞുവരാറുള്ളതു്. അതുപോലെ പൂഞ്ഞാററുരാജാ എന്നും പറഞ്ഞുവ

രുന്നുണ്ട്. ഈ രണ്ടു ഇടവകകളിലേയും അംഗങ്ങളെ തമ്പുരാൻ എന്നാണ് പറഞ്ഞുവരുന്നത്. ബില്ലിൽ ഒരു ഇനത്തെ എസ്റ്റേററ് എന്നു വേർതിരിച്ചിരിക്കുന്നു. എസ്റ്റേററ് എന്നുള്ളതു മലയാളമല്ല. ഇംഗ്ലീഷാണ്. അതിനു തോട്ടം എന്നാണ് അർത്ഥം. കിളിമാനൂരും ഇടപ്പള്ളിയും എസ്റ്റേററുകൾ എന്നും പൂഞ്ഞാറും വഞ്ചിപ്പുഴയും ഇടവകകൾ എന്നും പറയുമ്പോൾ ഒന്നു മറെറാന്നിനേക്കാൾ താഴ്ന്ന പടിയിലുള്ളതാണോ എന്നും അവ രണ്ടിന്റേയും കുടിയാന്മാർക്ക് കിട്ടിയിട്ടുള്ള അവകാശങ്ങൾക്ക് തമ്മിൽ വ്യത്യാസമുണ്ടോ എന്നും സാധാരണക്കാർക്ക് സംശയം ഉണ്ടാകുന്നതാണ്. ഈ രണ്ടു ഇനങ്ങളിലും ഉള്ള കുടിയാന്മാരുടെ അവകാശങ്ങൾക്ക് തമ്മിൽ യാതൊരു കൂടുതൽകുറവുമില്ല; അവർ സമന്മാരാണ് എന്ന് സംശയം ഉണ്ടാകാത്തവിധത്തിൽ ഈ ബില്ലിനെ രൂപീകരിക്കേണ്ടതാണ്.

MR. K. R. ELENKATH (*Kalkulam I*): മുൻപറഞ്ഞ നാലു ഇടവകകളേയും എസ്റ്റേററുകൾ എന്ന് വിളിക്കുന്നതുകൊണ്ടു വിരോധമുണ്ടോ?

MR. N. E. VARUGHESE (*Tiruvalla I*): അങ്ങനെ പേർകൊടുക്കണമെന്നല്ല ബില്ലിൽ പ്രസ്താവിച്ചിരിക്കുന്നത്.

അതിനാൽ എസ്റ്റേററു എന്നുള്ള പേരുമാററി ഇവയ്ക്കു് ഇടവകകൾ എന്നുതന്നെ പേർ കൊടുക്കണം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment. The word "Estate" has been put in, in this clause, not with a view to create any distinction between "Edavagai" and "Estate," or to suggest that Poonjar or Vanjipuzha is greater or lesser than Kilimanur or Edappalli. Any such distinction between the Edavagais is quite foreign to the very object of this measure. The fundamental object of this enactment is to settle the relationship between the tenants in the Edavagais on the one hand and the Chiefs on the other.

MR. E. V. KRISHNA PILLAI (*Pallanamtitta*): Does not the Law Member think that the occurrence of these two expressions in this enactment is likely, at some future date, to lead to different construction and interpretation being put upon the provisions of this measure? In view of that, is it not better that we retain only one of them and avoid all further complications?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I should certainly be very happy to avoid all misconceptions or confusion. But, this Bill applies to Kilimanur and Edappalli only in so far as the Estates Rent Recovery Regulation is sought to be amended by this enactment; and in the Estate Rent Recovery Regulation, Kilimanur and Edappalli have been called "Estates." So, unless we use here also the same expression, with respect to Kilimanur and Edappalli, it may lead to legal difficulties.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Will not Mr. S. J. Nair's amendment remedy any such defect?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not think.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Why not?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Having regard to the legal necessities of the case—

MR. S. J. NAIR (*Nedumangad*): May I ask—

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not finished, Sir.

As I said, Sir, this Regulation applies to Kilimanur and Edappalli only in so far as it seeks to amend the Estates Rent Recovery Regulation and there these two Edavagais are called "Estates." It is a legal or drafting necessity that we use the same expression here also. That will be clear from Section 2 (1). It will be seen that Sections 2 to 17 apply to Poonjar and Vanjipuzha. When we come to Section 18, we seek to amend the Estates Rent Recovery Regulation, in which Kilimanur and Edappalli are called "Estates." No implications from the use of the expression need therefore be apprehended. It seems to me that there is a legal necessity to use that expression here also so far as Kilimanur and Edappalli are concerned. But as the member in charge of the Bill I can give this assurance that absolutely no distinction is meant to be conveyed by the use of the expression "Estate" with reference to Kilimanur and Edappalli.

MR. A. S DAMODARAN ASAN (*Mavelikara*): But, will any such assurance by the Law Member find a place in the enactment?

MR. KAYALAM RARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not yielding place now, Sir; let me finish before I am put questions.

So far as the legal requirements are concerned, we have to use the expression "Estate" with reference to Kilimanur and Edappalli, since as regards them we seek here to amend the Estates Rent Recovery Regulation alone. No misconception can arise at any time on account of this, because here is my statement, as the member in charge of the Bill, that the expression is used here merely because it has been used in the Estates Rent Recovery Regulation sought to be amended here and that no distinction is sought to be drawn between the Edavagais called "Estates', and those called "Edavagais"

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is it proper to legislate with expressions in brackets?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose that amendment also, *viz.*, the suggestion of Mr. S. J. Nair to put the expression "Edavagai" in brackets after "Estate".

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I have a suggestion to make. This clause may be taken up in the end; because, it

may happen that Section 18, which applies to Kilimanur and Edappalli may be deleted, and there may not be any need to retain the expression "Estate."

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): We might have done that; but we have discussed this question at some length already, and so we may go on, Sir. As it is, if Section 18 happens to be deleted in the end, I assure the House that I shall bring suitable amendments at the third reading.

DEPUTY PRESIDENT: Mr. Thanu Pillai's suggestion is belated. We have advanced sufficiently forward with the discussion of the two amendments. Further, the reasons given by Mr. Thanu Pillai, though good, are not particularly forcible; because subsequent clauses depend considerably on the use of the expression "Estate" or "Edavagai."

MR. A. THANU PILLAI (*Trivandrum—Rural*): That is not what I say.

DEPUTY PRESIDENT: I have understood you, Mr. Thanu Pillai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I do not wish to make any statement by way of reply. I merely want to suggest that it is better that this distinction is removed even at this stage; because consequential changes may have to be made in the subsequent clauses.

I again request the House to accept my amendment.

The amendment to substitute "Edavagai" for "Estate" before 'Kilimanur and Edappalli' in sub-clause 3 was put to vote and lost.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

DEPUTY PRESIDENT: Do you insist on a poll now? On every matter is it necessary to take a poll? Not that I am unwilling; but just as a matter of advice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I do not insist, Sir.

The amendment to put "Edavagai" within brackets after "Estate," was then put to vote and lost.

MR. S. J. NAIR (*Nedumangad*): I demand a poll.

DEPUTY PRESIDENT: The reasons which weighed with Mr. Kunjukrishna Pillai will, I hope, weigh with Mr. S. J. Nair; and I hope he too will not insist on a poll. We have a lot to get through yet.

MR. S. J. NAIR (*Nedumangad*): No, Sir.

DEPUTY PRESIDENT: I am thankful to Mr. S. J. Nair.

The question that Clause 1 do stand part of the Bill was then put to vote.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I suggest that the passing of the clause may be put off till the end? There are amendments which may necessitate re-numbering of the clauses. These clauses may be put and carried after the provisions are settled.

DEPUTY PRESIDENT: I am sorry I cannot accept Mr. Thanu Pillai's suggestion.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I make my position clear?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I give the undertaking that I shall make the necessary consequential amendments at the third reading.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Will it not be more logical and reasonable to postpone the consideration of this clause now?

DEPUTY PRESIDENT: I am strongly of opinion that this kind of argument is wrong. When an opinion is expressed from the Chair on the question, it is final.

I have taken up Clause 1 because there is no other amendment. There is Mr. Jayantan Nambootiri's amendment, and as he is not here I take it that he is not pressing it.

The question that Clause 1 do form part of the Bill was put and carried.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I demand a poll.

A poll was taken with the following result:—

AYES - 39.

1. Mr. N. Abdur Rahiman Sahib
2. ,, K. C. Abraham
3. ,, V. T. Chacko
4. ,, S. Chattanatha Karayalar
5. ,, A. S. Damodaran Asan
6. ,, A. Easwara Pillai (*Kalkulam II*)
7. ,, K. R. Elenkath
8. ,, M. Mahomed Haneef
9. ,, N. John Joseph
10. ,, T. C. Joseph
11. ,, T. T. Kesavan Sastri
12. ,, K. M. Krishnan
13. ,, K. P. Krishna Menon
14. ,, N. K. Krishna Pillai
15. Rao Sahib Dr. N. Kunjan Pillai
16. Mr. C. V. Kunjuraman
17. ,, E. K. Kunjuraman
18. ,, C. O. Madhavan
19. ,, K. Madhavan
20. ,, M. K. Madhavan Pillai
21. ,, K. Mahomed
22. Mr. K. A. Narayana Pillai
23. ,, Pacode A. Narayana Pillai
24. Srimati T. Narayani Amma
25. Mr. G. Nilakantan
26. ,, R. Nilakanta Pillai
27. ,, K. Padmanabhan
28. ,, N. K. Padmanabha Pillai
29. Rao Sahib S. Paramesvara Aiyar
30. Mr. Kayalam Paramesvaran Pillai
31. ,, V. Ramakrishna Panicker
32. ,, R. Raman Pillai
33. Rao Bahadur N. Ramanuja Aiyangar
34. Mr. K. Sankaran
35. ,, R. M. Statham
36. ,, T. C. Thommen
37. ,, G. B. E. Truscott
38. ,, N. Govinda Menon
39. ,, P. G. Rama Varma Raja

NOES—7.

1. Mr. S. J. Nair
2. „ T. S. Jayantan Nambootiri
3. „ Puthupalli S. Krishna Pillai
4. Mr. T. Krishna Pillai
5. „ K. Kunjukrishna Pillai
6. „ A. Thanu Pillai
7. „ N. E. Varughese

NEUTRALS—8.

1. Mr. T. K. Alexander
2. „ E. H. Francis
3. „ Antony George
4. „ M. N. Nair
5. „ Kainikkara M. Padmanabha Pillai
6. Mr. Changanachery K. Paramesvaran Pillai
7. „ S. Thiraviam Nadar
8. „ V. K. Velappan Nair

Clause, 1 was added to the Bill.

Clause 2.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Sir, the Bill as it was originally framed sought to give permanency of occupancy.

MR. S. J. NAIR (*Nedumangad*): With the permission of the Chair. I rise to a point of order. The amendment which Mr. Jayantan Nambootiri has given notice of regarding clause 1 is not yet taken up.

DEPUTY PRESIDENT: That shows that Mr. S. J. Nair did not inform himself of what was taking place here. You may continue, Mr. Nilakanta Pillai.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): The Bill as originally framed sought to give to the owners of land in Vanjipuzha and Poonjar Edavagais permanent occupancy rights. But the Bill, as revised by the Select Committee, seeks to impose certain conditions on these permanent occupancy rights. Permanency of occupancy should not be made to depend upon any conditions. Sir, I submit that the words "subject or not subject to conditions" be deleted.

MR. K. R. ELENKATH (*Kalkulam I*): I second the amendment. My main argument in supporting the amendment is that this condition will give a good handle to the executive authorities to use the powers which this Legislature does not intend they should exercise. On this main ground, I second the amendment of Mr. Nilakanta Pillai.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment. The main purpose of that clause may be explained by a reference to what is provided for in this Bill. Later on, it is provided particularly that the assignment of lands within an Edavagai shall be made in accordance with the laws, rules and notifications applicable to Government lands. It will be seen from the Government Land Assignment Regulation that sometimes assignments may be made subject to conditions. It is provided therefore that in regard to the Poonjar and Edappalli Edavagais the assignments of waste lands may be made subject to conditions. With a view to make the definition applicable to such assignments also, the expression "subject or not subject to conditions" is used.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Will the Law Member please give an instance of an assignment subject to a condition?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In the case of the *puduval* lands registered in favour of a member of the depressed classes, a condition is sometimes put in that he shall not alienate the lands.

DEPUTY PRESIDENT: The amendment is—

Delete the words "subject or not subject to conditions" in line 3 sub-clause (6) of Clause 2.

The amendment was put to the vote of the House and declared lost, 10 voting *for* and 26 *against*.

DEPUTY PRESIDENT: Mr. Nilakanta Pillai, the next amendment stands in your name. Are you going to move it?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Yes.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to a point of order. We have already decided that the words must find a place in sub-clause (6) of clause 2.

DEPUTY PRESIDENT: So, I cannot allow the amendment.

MR. N. GOVINDA MENON (*Co-opted*): In clause 2, I move the following amendment:—

Substitute "holdings" for "registered holding" in sub-clause (x) (*c*).

My intention in moving that amendment is to bring it in conformity with my other amendments which follow with regard to the other sections. I request the Chair to allow me to move this amendment after the other amendment in regard to the question of *taravila* is moved and decided upon. That is the next amendment I am going to move.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): A word of explanation. The clause has to be put to the House now and it may be put. If Mr. Govinda Menon is successful with regard to his other amendments, I shall move this amendment as a consequential amendment at the third reading of the Bill, and I undertake to do it if he informs me of it. If he carries out his other amendments, then only will it be necessary to consider the consequential amendments.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Why not it be done now?

DEPUTY PRESIDENT: I cannot allow an amendment which may be of possible utility in the future. Anyhow, Mr. Govinda Menon has agreed to the proposal of the Law Member?

MR. N. GOVINDA MENON (*Co-opted*): Yes, Sir, in view of the assurance given by the Law Member that consequential amendments on the passing of my other amendments will be made by him at the third reading of the Bill, I am not very anxious to move this amendment now.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Provided he will inform me of it.

DEPUTY PRESIDENT : Mr. Govinda Menon does not press his amendment now

MR. N. GOVINDA MENON (*Co-opted*) : No, Sir.

DEPUTY PRESIDENT : The question is that Clause 2 do stand part of the Bill.

The motion was put to the vote of the House and carried.

Clause 2 was added to the Bill.

Clause 3.

DEPUTY PRESIDENT : There are no amendments to Clause 3.

MR. N. E. VARUGHESE (*Tiruvalla I*): സർ, ഒരു പോയിൻറ് അഫ് ആർഡർ ഉണ്ട്.

ഭേദഗതി അച്ചടിച്ചിട്ടുള്ള കടലാസ്സുകൾ ഇവിടെ കിട്ടിയിട്ടുണ്ട്. രണ്ടാമത്തെ ക്ലാസ്സിനെപ്പററി ഞാൻ അവതരിപ്പിച്ചിട്ടുള്ള ഭേദഗതിയും അച്ചടിച്ചു കിട്ടിയിട്ടുണ്ടു. ആ ഭേദഗതിയെപ്പററി പ്രസ്താവിക്കുവാനാണ് "ഞാൻ ഒരു സംഗതി" എന്ന് എഴുന്നേററ് പ്രസ്താവിച്ചത്. അത് പിന്നീട് എന്ന് അധികാരസ്ഥാനത്തുനിന്നും എനിക്ക് മറുപടി കിട്ടി. രണ്ടാമത്തെ ക്ലാസ്സിനെപ്പററിയുള്ള എൻെറ ഭേദഗതിയെപ്പററി ആലോചിക്കാതെയും എൻെറ പേർ വിളിച്ച് അത് അവതരിപ്പിക്കുന്നുണ്ടോ എന്ന് ആവശ്യപ്പെടാതെയും രണ്ടാമത്തെ വകുപ്പിനെ പാസ്സാക്കിയിരിക്കുന്നു. അത് ശരിയാണോ?

DEPUTY PRESIDENT : I am prepared to give a ruling. I asked if anybody whose name is given here is going to move his amendment, and nobody came forward. Some gentlemen came forward but did not press their amendments. It is true that Mr. Varughese said a *sangathi*. *Sangathi* under the rules as such has no place in the discussion. If Mr. Varughese had explained the situation, the Chair would have taken it into consideration and decided whether the discussion should have followed or not. From the way in which Mr. Varughese referred to *sangathi* which did not convey a definite idea to the House, the course adopted by the House is perfectly right.

MR. N. E. VARUGHESE (*Tiruvalla I*): അധികാരസ്ഥാനത്തുനിന്നും പുറപ്പെടുവിക്കുന്ന ആജ്ഞകളെ അനുസരിക്കുക എന്നുള്ള സ്വഭാവക്കാരനാണ് ഞാൻ. അതുകൊണ്ടാണ് എൻെറ ഭേദഗതിയെപ്പററി പിന്നീട് പറയാമെന്ന് വിചാരിച്ചിരുന്നിട്ടുള്ളത്.

DEPUTY PRESIDENT: Will you please take your seat, Mr. Varughese?

MR. K. R. ELENKATH (*Kalkulam I*) : Sir, I rise to a point of order. This is a question which affects—

DEPUTY PRESIDENT : I want to remind what I said this morning and what I have emphasised very many times that the rules have to be kept.

MR. K. R. ELENKATH (*Kalkulam I*) : This point affects the rights and privileges of this House.

DEPUTY PRESIDENT : What is the point of order ?

MR. K. R. ELENKATH (*Kalkulam I*) : I wish to know whether Mr. Varughese would be allowed to move his amendment at least in the third reading of the Bill. There are two sheets printed. In one Mr. Varughese name appears and it is in Clause 2 which has already been passed. I wish to know whether, because Mr. Varughese has not moved his amendment for no fault of his, he will be allowed to move his amendment in the third reading of the Bill.

DEPUTY PRESIDENT : I am very sorry, Mr. Elenkath, that I have been drawn to the necessity of giving another ruling. The circumstances have been detailed and the facts have been explained and the House was proceeding with the business in the way laid down in the rules so that the point of order raised by Mr. Elenkath does not arise.

MR. K. R. ELENKATH (*Kalkulam I*) : I wish an opportunity be given to Mr. Varughese to move his amendment at least in the third reading.

DEPUTY PRESIDENT : That is not a matter of private arrangement.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഓരോ ക്ലാസ്സിനും ഉള്ള ഭേദഗതികളെ ഓരോന്നായിട്ടല്ലേ പര്യാലോചിക്കേണ്ടതു്; അതോ രണ്ടാമത്തെ കടലാസ്സിനെപ്പററി പര്യാലോചിച്ചിട്ടു് ഒന്നാമത്തെ കടലാസ്സിനെപ്പററി പര്യാലോചിക്കുകയാണോ?

DEPUTY PRESIDENT : രണ്ടാമത്തെ കടലാസ് എന്നും ഒന്നാമത്തെ കടലാസ് എന്നും ഉള്ള വ്യത്യാസമല്ല ഇവിടെ പ്രധാനമായിരിക്കുന്നതു്. നിയമപ്രകാരം ഹാജരാക്കിയിട്ടുള്ള ഭേദഗതികളെ നിയമപ്രകാരം മെമ്പറന്മാർ യഥാകാലത്തിനു് സഭമുമ്പാകെ അവതരിപ്പിക്കുകയാണെങ്കിൽ അതിനെപ്പററി ആലോചിക്കുന്നതാണു്.

In Clause 3 there are no amendments.

The question is that Clause 3 do form part of the Bill.

The motion was put to the vote of the House and carried.

Clause 3 was added to the Bill.

We will proceed with the further consideration of the Bill tomorrow. We will now adjourn to meet again at 11 o'clock tomorrow.

The Assembly adjourned at 4-35 P. M.

K. MADHAVA KURUP,

Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

FIRST ASSEMBLY.

SECOND SESSION.

Wednesday, the 23rd May 1934/10th Edavam 1109.

The Assembly met again in the Victoria Jubilee Town Hall, at Eleven of the clock, the President presiding.

QUESTIONS AND ANSWERS.

Statement by caste of teachers appointed in the Vernacular Schools for Girls.

171. ***MR. R. RAMAN PILLAI** (*Changanachery* cum *Peermade II*): Will the Government be pleased to lay on the table a statement, by caste, of the teachers appointed, both acting and permanent, in the Vernacular Girls' Schools in each District in the State in 1106, 1107 and 1108 ?

MR. R. M. STATHAM (*Director of Public Instruction*): The statement asked for by the member is laid on the table.

Nomination of Muslims to the Kuzhithura Municipal Council.

172. ***MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state the number of terms the Muslims were nominated to the Kuzhithura Municipal Council ever since the Municipality was established ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): In 1926 and again in 1933.

Drawing Mistresses.

173. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state :

(*a*) the names of persons who have acted as Drawing Mistresses in Girls' Schools with dates of passing the examination, the dates of first appointment and the total length of the acting period of each ;

(*b*) which of the above qualifications are considered in making appointments both temporary and permanent ; and

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* *Vide* Appendix I.

G. P. T. 1637—350—28-11-1109.

[M. A. S. Damodaran Asan]

(*c*) whether a list of these persons in the order of their claims is maintained and, if so, whether the list will be laid on the table?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) The *statement required is laid on the table.

(*b*) Date of first appointment.

(*c*) Yes; the statement referred to in part (*a*) was drawn up in the order of seniority.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I rise to a point of order. When it is stated that the statement required is laid on the table, does it not mean that it will be laid on the table of the members? We are unable to find any list here.

PRESIDENT: The Parliamentary procedure always is that, if any member asks for any information, that information is supplied in the form of a statement laid on the table of the House. The table of the House invariably is regarded as the table of the Secretary and that statement is laid on the table of the Secretary and if any questions are to be asked, the member has got to wait until the publication appears and then he can ask questions. But he cannot ask questions immediately.

MR. A S. DAMODARAN ASAN (*Mavelikara*): In this connection part (*a*) of my question does not require a statement to be laid on the table. I have asked for the names of persons who have acted as Drawing Mistresses. Then my submission is that the answer given is not correct.

MR. R. M. STATHAM (*Director of Public Instruction*): The answer consisted of considerable details and the most convenient way to answer them was to put them in the form of a statement.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether it is the decision of the Chair or the opinion of the member?

PRESIDENT: That is the opinion of the member.

However, I shall look into that; and if it does not comply with the Parliamentary procedure, I will insist upon a better method of answering in future.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): May I know whether there are Drawing Masters in Girls' Schools?

MR. R. M. STATHAM (*Director of Public Instruction*): I think that we have passed on to the next question.

PRESIDENT: I have not called for the next question.

MR. K. R. ELENKATH (*Kalkulam I*): Sir, I rise to a point of order. I want to know whether a member is entitled to ask supplementary questions when the answer given is "the statement required is laid on the table."

PRESIDENT: I have already answered in the negative.

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* *Vide* Appendix II.

Persons exempted from personal appearance in Courts.

174. *MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : (*a*) Will the Government be pleased to lay on the table a list of persons exempted from personal appearance in Court under Section 98 of the Civil Procedure Code?

(*b*) Will the Government be pleased to state the principle on which such exemptions are based?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : (*a*) Government do not propose to furnish the information as the time and labour involved in its preparation are out of all proportion to its possible utility.

(*b*) The Member is referred to Sub-Section (i) of Section 98 of the Civil Procedure Code, Regulation VIII of 1100.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : Am I to understand from the member that the exemptions have been given to such a large number of people that it is difficult to prepare the list?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The number, I believe, is fairly large and the time and labour involved in looking up the old files and collecting the information, as has been answered, are out of all proportion to its possible utility.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : May I know whether each Court does not keep such a list?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Yes; each Court does.

MR. PACODE A NARAYANA PILLAI (*Vilavankod*) : Then, is it so very difficult to collect the list from all the courts?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I have already answered that the time and labour involved in its preparation are out of all proportion to its possible utility.

MR. A. EASWARA PILLAI (*Kottarakara*) : May I know whether persons once exempted are always exempted?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Yes.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Am I to understand that there is no list kept with the executive authority?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : There are files relating to each individual member; and to collect the information about all gentlemen to whom the exemption has been granted, one has to look up old records and hunt up the files for a number of years, and, as I said, the time and labour involved are out of all proportion to its possible utility.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know whether it is the opinion of the member that the time and labour involved in such preparations are out of all proportion to the utility?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It is the opinion of the Government.

Beggars in the Trivandrum Town.

175. *MR. **CHANGANACHERY K. PARAMESVARAN PILLAI** (*Kunnattur cum Pattanapuram*): (*a*) Will the Government be pleased to state the number of destitute beggars in the Trivandrum town?

(*b*) Will they be pleased to state where these beggars cook their food and sleep at night?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) 51.

(*b*) In the following places :—

(1) Sheds at Chengalchoolai;
(2) Stables near Government Press;
(3) Chakkay and Valliakadavu landing places and at Shangumukhom and Valiathurai;
(4) Poojapurai Mandapom;
(5) Satrom at Puthentheruvu; and
(6) In other places where they find convenience.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): With reference to answer to part (*b*), will the member be pleased to say whether the places mentioned are reserved for destitute beggars?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): They are not reserved for the destitute beggars, but they do find shelter in those places.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know from the member the basis of the figure 51?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): From the census of 1931.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): With reference to the answer to part (*b*), are Government aware that these beggars are loitering about the town and creating a lot of trouble and will Government take steps to avoid such nuisance?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I may mention, Sir, that there is a proposal to open a home for the destitute and the infirm. As the members are aware, His Highness the Maha Raja has promised a donation of Rs. 50,000 from his privy purse, at the time of the investiture of His Highness with ruling powers for starting a home for the destitute and the infirm and Government are taking steps to give effect to the proposal. When the home is started, all these beggars can find accommodation there.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether Government are going to open a home for the 51 beggars?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): These 51 beggars are in the town and others come in from outside.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): Are Government aware that able and professional beggars are roaming about the town to the detriment of the public?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have no information on the point.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know whether Government are going to make immediate legislation on the point?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No, I do not think so.

Flood damages in the Neyyattinkara taluk.

176. ***MR. T. KRISHNA PILLAI** (*Neyyattinkara II*): Will the Government be pleased to lay on the table a pakuthi-war statement of the different kinds of damages done by heavy rains and floods, during the closing months of 1108, in the Neyyattinkara taluk?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): A *statement, by the pakuthies, is placed on the table.

Demand notice fees.

177. ***MR. K. R. ELENKATH** (*Kaikudam I*): Will the Government be pleased to place on the table a statement showing the annual income derived from demand notice fees for recovery of land revenue during the last ten years?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): A †statement containing the information is laid on the table.

Flood damages in the Chirayinkil taluk.

178. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*): With reference to the Chirayinkil taluk, will the Government be pleased to lay on the table a pakuthi-war statement of the different kinds of damages caused by the floods in the months of Edavom and Mithunam 1108 M. E. and the reliefs, if any, granted?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): A §statement containing the information is placed on the table.

Sirkar Vakils.

179. ***MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to state:

(*a*) the number of Law Officers in the State:

(*b*) the number of Brahmins, Nairs and Christians among them; and

(*c*) the names of the persons recently appointed as Sirkar Vakils at Quilon and Kottayam?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) 15.

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* *Vide* Appendix III.
† *Vide* Appendix IV.
§ *Vide* Appendix V.

[Rao Sahib Dr. N. Kunjan Pillai.]

(b) Brahmins		5
Nairs	...	3
Christians	...	4

(c) (i) Mr. R. Ranganatha Aiyar, M. A., & M. L., High Court Vakil, Trivandrum, was appointed as Ag. District Court Sirkar Vakil at Quilon.

(ii) Mr. Joseph Malieckal, B. A. & B. L., District Court Vakil, Kottayam, was appointed as Ag. District Court Sirkar Vakil, Kottayam.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member whether, at the time of the appointment referred to in answer to part (c)—

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I do not hear.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member whether, at the time of the appointment of persons referred to in answer to part (c), there were no applications from the Ezhava community?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I do not hear the question. . Is it that the claims of other candidates were not considered?

MR. K. PADMANABHAN (*Chirayinkil I*): Whether there were no applications from the members of the communities who were not represented among the Sirkar Vakils.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, there were.

MR. K. PADMANABHAN (*Chirayinkil I*): How many such applications were received by Government?

RAO SAHIB DR. N. KUNJAN PILLAI ((*Chief Secretary to Government*): I have not got the exact number here, Sir.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether the Ezhava community is represented among the Sirkar Vakils?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

MR. K. PADMANABHAN (*Chirayinkil I*): With reference to the answer to part (c), may I know whether Government considered the claims of Ezhavas?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): May I know whether the principle of rotation is followed in filling up the vacancies?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

Statement by caste, of clerks in the Registration Department.

180. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to lay on the table a statement, by caste, showing the number of clerks, acting and permanent, in the Registration Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The *statement is laid on the table.

Vernacular Primary School at Thrikkakara.

181. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to state:

(*a*) whether they have received any representation from the people of Thrikkakara about the reconstruction of the Vernacular Primary School there

(*b*) the number of students in the said school and

(*c*) whether it was not constructed by the people of that place?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) 128.

(*c*) Yes.

Primary School at Thrikkakara.

182. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to state:

(*a*) whether the plan and estimate for the construction of the Primary School at Thrikkakara have been prepared and submitted to the Government by the P. W. D. at Alwaye

(*b*) if the answer to part (*a*) is in the affirmative, what is the estimate so prepared for the reconstruction of the said school and

(*c*) when the construction of the building for the same will be started?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) No.

(*b*) and (*c*) In view of the answer to part (*a*), these do not arise.

Graduates and law graduates in the ministerial staff of the Judicial Department.

183. *MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Will the Government be pleased to state whether there is any distinction maintained in the ministerial staff of the Judicial department between graduates and graduates-in-law in the matter of promotions?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

Export duty on cocoanut products.

184. *MR. M. N. NAIR (*Kottayam I*): Will the Government be pleased to lay on the table a statement showing the export duty collected in 1098 and in 1108 on:—

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* *Vide* Appendix VI.

[Mr. M. N. Nair.]

Cocoanuts,
Copra,
Cocoanut oil, and
Poonac ?

MR. C. O. MADHAVAN (*Excise Commissioner*): A *statement furnishing the information is placed on the table.

Import of Ceylon copra.

185. ***MR. M. N. NAIR** (*Kottayam I*): Will the Government be pleased to lay on the table a statement showing the quantity of Ceylon copra imported into Alleppey, and the dates on which they were imported?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): A †statement furnishing the information for 1107 and 1108 is placed on the table.

Export of cocoanut products.

186. ***MR. M. N. NAIR** (*Kottayam I*): Will the Government be pleased to lay on the table a statement of copra and cocoanut oil exported to Bombay, Karachi and Calcutta from the Alleppey Port during the years 1105, 1106, 1107, 1108 and 1109 M. E. so far (13-3-1109) and the quantity of the above commodities exported into those three ports from Ceylon during the above-mentioned periods?

MR. C. O. MADHAVAN (*Excise Commissioner*): Particulars asked for are furnished below:—

	Bombay.		Karachi.		Calcutta.	
COPRA.	Cwts.	Lbs.	Cwts.	Lbs.	Cwts.	Lbs.
1105	1,61,467	82½	70,288	28	...	...
1106	1,81,351	70	1,08,773	64¾	...	...
1107	1,29,791	84	59,439	77	188	28.
1108	1,78,230	7	71,328	89¼	...	...
1-1-09 to 13-3-1109	45,533	84	16,319	84	...	...
COCOANUT OIL.						
1105	...	...	6,491	70	32,021	70
1106	...	77	...	...	69,886	21
1107	1,559	54¼	2,696	91	713	80½
1108	12,190	96¼	679	31½	6,485	80½
1-1-09 to 13-3-1109	...	...	...	...	528	87½

*Vide Appendix VII.
†Vide Appendix VIII.

No information is available regarding the import of Ceylon copra and cocoanut oil into the Ports of Bombay, Karachi and Calcutta.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether the member has tried to ascertain the quantity of copra exported into these ports by Ceylon.

MR. C. O. MADHAVAN (*Excise Commissioner*) : The figures could not be obtained within the time allowed for answering the interpellation.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether he made any attempt before this interpellation reached his hands?

MR. C. O. MADHAVAN (*Excise Commissioner*) : No.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) ; May I know the date on which this interpellation reached his hands?

MR. C. O. MADHAVAN (*Excise Commissioner*) : 6th November 1933.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Does the member think that that time is insufficient for ascertaining the information?

MR. C. O. MADHAVAN (*Excise Commissioner*) · This interpellation was sent up not for this meeting but for the last meeting and the answer had to be prepared for that meeting.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know from the member when Ceylon copra began to come into Travancore in large quantities?

MR. C. O. MADHAVAN (*Excise Commissioner*) : In 1108.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know the time that elapsed betweeen the commencement of the import of Ceylon copra and 6th November, the date on which the member received this interpellation.

MR. C. O. MADHAVAN (*Excise Commissioner*) : One year.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Am I to understand therefore that the member has not made any attempt during this time to ascertain the quantity of copra imported from Ceylon?

MR. C. O. MADHAVAN (*Excise Commissioner*) : I am sorry that the Honourable member did not understand the question of Mr. Kunjukrishna Pillai. What he wanted was the quantity of Ceylon copra imported into the ports of Bombay, Karachi and Calcutta and not to Travancore ports.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : സർ, എനിക്കൊരു പോയിന്റ് ഓഫ് ഓർഡർ ഉണ്ട്. അതായതു, ചോദ്യകർത്താവു സ്റ്റേറ്റുമെന്റു മേശപ്പുറത്തു വയ്ക്കണമെന്നാവശ്യപ്പെട്ടപ്പോൾ അതിന് ഉത്തരം പറയുന്നതു ശരിയാണോ?

PRESIDENT: The information is being sought not on the array of figures contained in the answer but it is merely being asked on the last sentence of the reply.

Acting teachers in the Education Department.

187. ***MR. T. K. ALEXANDER** (*Kunnatnad I*) : Will the Government be pleased to state:

(*a*) the number of teachers in the Education Department who have put in acting service of five years and more;

[Mr. T. K. Alexander.]

(*b*) the number of them acting at present in permanent vacancies but not confirmed;

(*c*) the reason for not confirming them yet;

(*d*) the number of teachers confirmed during the years 1104 to 1109; and

(*e*) the number of years of their acting service in the department?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) 137.

(*b*) 44.

(*c*) As proposals regarding the seniority lists, minimum qualifications for recruitment, abolition of schools, and other cognate matters are under consideration.

(*d*) 959.

(*e*) Ranging from 7 days to 11 years 2 months and 10 days.

Major Conservancy Station at Piravam.

188. * **MR. K. M. KURIAKOSE** (*Muvattupuzha II*): Will the Government be pleased to state:

(*a*) whether they have received any petition from the Piravam public praying to institute a Major Conservancy at Piravam instead of the Minor Conservancy as already granted: and

(*b*) what steps have been taken in respect of the above petition?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) No.

(*b*) In view of the answer to part (*a*), this question does not arise.

Silting up of the Talavady river.

189. * **MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*): Will the Government be pleased to state:

(*a*) whether any part of the Talavady river has got silted up so as to intercept navigation and to affect adversely the paddy cultivation on both sides of the river;

(*b*) whether the matter has been brought to the notice of Government:

(*c*) what steps, if any, have been taken to remove the silt and deepen the river;

(*d*) whether any amount is annually spent to keep the river navigable and, if so, whether such annual work is effective for the purpose; and

(*e*) whether the Government propose to take adequate measures to counteract the serious inconvenience arising from the present state of the river?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) No. But some portions are shallow.

(*b*) Yes.

(*c*) Silted portions were deepened and are now being maintained in navigable condition.

(*d*) An annual grant of Rs. 400 is allotted 'for the maintenance. The works done are effective for the purpose.

(*e*) The matter is under consideration.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): In answer to part (*a*), will the member be pleased to explain how the shallowness was brought about?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I cannot say.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Has the Chief Engineer made any inspection of that particular river?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): No.

MR. N. E. VARUGHESE (*Tiruvalla I*): തലവടി ആറ് എന്നുപറയുന്നത് എവിടംമുതൽ എവിടംവരെയുള്ളതാണ്?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): It is the river which passes through Talavadi.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether the Chief Engineer received any report from the authorities concerned about the silting up of the river?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): It is reported that the river is shallow.

Market at Venjaramoodu in Nedumangad taluk.

190. * **MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state whether they are aware of the unlevelled and dirty condition of the Venjaramoodu market in the Nedumangad taluk?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It is reported that the market is not in a dirty condition and that the uneven surface of the market site does not cause any inconvenience to the market-going public.

MR. S. J. NAIR (*Nedumangad*): May I know who reported that the market is not in a dirty condition?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The Tahsildar.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is not the report made by a subordinate officer confidential? Can the member in charge of the Department divulge the information? Is such a question allowable, Sir?

PRESIDENT: I do not think it is.

MR. S. J. NAIR (*Nedumangad*): May I know whether any higher authorities were asked to report about the matter to corroborate whether the information supplied by the Tahsildar was correct or not?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It does not appear from the papers that any higher authorities were asked to inspect the place.

MR. S. J. NAIR (*Nedumangad*): May I know whether any of the higher authorities will be pleased to go and inspect the market and satisfy himself that it is not in a gcod condition?

PRESIDENT: That is not asking for information.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the report of the Tahsildar was received after this interpellation was placed into the hands of the member?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The Tahsildar inspected the market before the interpellation was put into the hands of Government.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon I*): Is fish sold in that market?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I claim notice.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon I*): Is there any special arrangement made for cleansing the market on market days?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes, there are sweepers for that purpose.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon I*): Are there drains constructed around the market?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I cannot say now.

Mundakan cultivation on either side of the Kartikapalli canal.

191. * **MR. V. RAMAKRISHNA PANICKAR** (*Kartikapalli II*): Will the Government be pleased to state:

(*a*) whether they are aware that the flow of brine water from the Kayankulam backwaters during the annual ebbs injuriously affects the *mundakan* paddy cultivation on either side of the Kartikapalli canal; and

(*b*) whether the construction of a lock at Poothottumuttu was not suggested in the Sri Mulam Popular Assembly and approved by them?

MR. G. B E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) Yes. An estimate has been sanctioned for Rs. 385 for putting up a temporary bund and lock. The work has been provided for in this year's (1109) budget.

Statement of clerks in the Judicial Department.

192. * **MR. V. RAMAKRISHNA PANICKAR** (*Kartikapalli II*): Will the Government be pleased to place on the table a list of clerks in the Judicial Department arranged according to seniority as they stood on 1-1-1107 and on 1-1-1109?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government do not propose to call for the information as the time and labour involved in its collection is out of all proportion to any possible utility.

Supervision in the Office of the Director of Public Instruction.

193. * **MR. PUTHUPALLI S. KRISHNA PILLLAI** (*Quilon II*): Will the Government be pleased to state:

(*a*) whether their attention has been drawn to the statement in the Travancore Education Committee Report that, owing to lack of supervision in the Director's Office public money may have been embezzled:

(*b*) whether the Head Accountant in the Director's Office is responsible for such state of affairs and, if so, to what extent;

(c) whether the present Director of Public Instruction has recommended for the appointment of that individual as the Financial Assistant contemplated by the new reforms and

(d) if so, whether Government have accepted it?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(a) Government have read the report.

(b) No.

(c) Yes, as a temporary measure.

(d) No.

Handcuffing of accuseds in Municipal cases.

194. ***MR. G. NILAKANTAN** (*Nominated*): Will the Government be pleased to state if it is usual for the Police to handcuff accuseds concerned in Municipal cases while escorting them to the Bench Magistrates' Courts?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): No.

MR. G. NILAKANTAN (*Nominated*): May I know whether any complaint has been filed against the police by a person, for handcuffing the accused in a case charged under the Municipal Regulation and taking him along the public road?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): That is a difficult question to answer, because it is so general and vague.

MR. G. NILAKANTAN (*Nominated*): I mean in the Puthenchanta Police Station.

PRESIDENT: Can the member furnish details of the case so as to enable the Government member to answer the question? By whom and against whom?

MR. G. NILAKANTAN (*Nominated*): There is one Velu Asari, a respectable gentleman residing in Puthenchanta. He is also an ivory merchant. He was charged under the Municipal Regulation for which a warrant was issued. The police arrested him and took him along the public road under hand-cuff. He has filed a suit against the Puthenchanta Police for having taken him along the public road in the broad daylight. Is the Police Commissioner aware of this?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I thank the member for the information. I shall certainly look into the case.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is it not a fact that the hand-cuffing of an accused by the police depends upon the question whether it is a municipal offence or non-municipal offence?

Or, is it that the Police Officer is empowered to act under the Criminal Procedure Code?

PRESIDENT: The question here is about the hand-cuff.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether the offence is determined according to the municipal offence or non-municipal offence?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): It is a thing to be determined by the circumstances of the case, and the nature of the prisoner.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether there are any rules relating to handcuffing?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): Yes, there are a few rules.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Am I therefore to understand that it has nothing to do with the nature of the offence?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): Yes. But it has rather to do with the nature of the offender.

Transmission of registered decrees of Civil Courts.

195. ***MR. PACODE A. NARAYANA PILLAI** (*Vilavankod*): Will the Government be pleased to state whether they are aware of the great inconvenience felt by the public on account of the delay in sending copies of registered decrees of the Civil Courts to the Sub-Registrars' Offices?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes. The High Court have since issued a Circular directing the subordinate Courts to communicate promptly to the Sub-Registrars concerned the memoranda of decrees and orders passed by them affecting immoveable property.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether the Government are satisfied that the rules are being satisfactorily worked?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, a Circular has been issued in Kumbham 1109 and as far as Government know, the rules work satisfactorily now.

Assistant Superintendent of Survey.

196. ***MR. A THANU PILLAI** (*Trivandrum-Rural*): Will the Government be pleased to state:

(*a*) whether there is any proposal before Government for appointing an outsider as the Assistant Superintendent of Survey;

(*b*) whether there are not in the Department officers qualified to hold that office and

(*c*) if the answer to part (*a*) is in the affirmative, the qualifications of the individual concerned and also the qualifications of the officer in the department next in rank to the Assistant Superintendent?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) The answer is in the affirmative.

(*b*) and (*c*) The qualifications of the person proposed to be appointed as Assistant Superintendent of Survey and who is a native of Travancore are :—

(i) He is a holder of the M. A. Degree.

(ii) He has passed the Executive Officer's Account Test, Revenue Test, and Criminal Judicial Test of the Madras Public Service Commission.

(iii) He has passed the Sub-Assistant Test.

The Officer in the Survey Department next in rank to the Assistant Superintendent (Mr. K. V. Iyer) has passed the Madras Sub-Assistant Test and draws a pay of Rs. 90 per mensem.

MR. A. THANU PILLAI (*Trivandrum—Rural*). May I know who is now proposed to be appointed, Sir? Am I to understand that the person is proposed to be appointed or appointed?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Proposed to be appointed.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether he has got the same qualifications as those prescribed for the post of Assistant Superintendent of Survey?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know from the member whether the M. A. Degree is necessary for the Survey Department?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Not necessary, but it signifies greater efficiency.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know the officer next in rank to the Assistant Superintendent of Survey?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Mr. K. V. Iyer, Head Surveyor.

MR. K. R. ELENKATH (*Kalkulam I*). May I know from the member the salary proposed to be given to the new incumbent?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): It has not been finally decided. The matter is under correspondence with the Government of Madras.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know from the member whether the proposed person is in British service?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): Yes.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know for how long a period?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): I cannot say.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether he is a Travancorean?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): He is a Travancorean.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know the necessity for bringing in a foreigner? That is a question which is obviously not intended for me. Yet shall I ask that question now?

PRESIDENT: No, you don't ask that question.

Irrigation Department.

197. *MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Will the Government be pleased to state whether the Government have decided or whether there is a proposal to form a separate Irrigation Department in the State?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): A separate Irrigation Division has already been formed under the charge of an Executive Engineer.

Ferry service at Poovathoor in Vamanapuram river.

198. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether there were representations for establishing a ferry service at Poovathoor in Vamanapuram river;

(*b*) whether several persons have to cross the river at Poovathoor daily; and

(*c*) the reason for the delay in providing a ferry boat there?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) No.

(*b*) Yes.

(*c*) There was no demand for it.

MR. S. J. NAIR (*Nedumangad*). May I know from the member whether I am to understand that there was no demand from the people of the locality for the ferry boat?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): That is the answer.

The Karipoor trace.

199. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state;

(*a*) whether an estimate for Rs. 3,000 has been sanctioned for the conversion of the Karipoor trace into a cart road;

(*b*) how many times allotments were made to improve it;

(*c*) the amounts of allotment on each of the several occasions;

(*d*) whether any allotment is made this year (1109);

(*e*) what has become of the allotment in former years;

(*f*) why those allotments were not utilised for the conversion of the above trace;

(*g*) whether any work is done now: and

(*h*) how long it would take for completion?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) Thrice.

(*c*) Rs. 1,000 in 1105
Rs, 1,500 in 1108
Rs. 1,000 in 1109.

(*d*) Yes.

(*e*) Lapsed.

(*f*) Owing to the delay in the acquisition of the necessary lands and the absence of a sanctioned estimate.

(*g*) Yes.

(*h*) About one month.

Roads in the Nedumangad taluk.

200. *MR. S. J. NAIR (*Nedumangad*) : Will the Government be pleased to lay on the table a list of the existing roads and the amount of annual allotment of maintenance granted respectively for the roads in Nedumangad taluk?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : A *list showing the existing roads with their maintenance grant is placed on the table.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member why the maintenance grant allotted to the roads in the Nedumangad taluk are very low when compared to the maintenance grants allotted to neighbouring taluks?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): That is a question which I cannot answer at present. There are various reasons for giving enhanced grants to roads.

Vidura Dispensary.

201. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the Vidura dispensary is housed in a private building;

(*b*) the monthly rent that is being paid for the private building;

(*c*) whether there is a camp-shed building at Vidura;

(*d*) whether the camp-shed is left useless and unused;

(*e*) whether there is any proposal to auction the camp-shed building;

(*f*) whether it would not be possible to shift the Vidura dispensary to the camp-shed there; and

(*g*) whether the establishment of the Vidura dispensary in the camp-shed building will be conducive to its permanency and usefulness?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Yes.

(*b*) The owner of the building has given it free of rent as a temporary measure.

(*c*) Yes.

(*d*) No.

(*e*) No.

(*f*) No.

(*g*) This does not arise in view of the answer to part (*f*).

MR. S. J. NAIR (*Nedumangad*): May I know from the member why the camp-shed building at Vidura is not being used by the public now?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It has been answered that the campshed is being used by the public.

Work in the Vidura Dispensary.

202. *MR. S. J. NAIR (*Nedumangad*). Will the Government be pleased to state:

(*a*) when the Vidura dispensary was first started;

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*Vide Appendix ix.

[Mr. S. J. Nair.]

(b) how the present work of the Vidura dispensary is carried on;

(c) the amount given to the Medical Officer at Palode dispensary to attend the duties of Vidura dispensary also;

(d) on what days in the week the Palode Medical Officer attends the Vidura dispensary;

(e) the minimum salary of a Hospital Assistant; and

(f) the additional cost of appointing a separate Medical Officer in the Vidura dispensary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(a) 5th Kanni 1101/September 1925.

(b) A Bi-weekly dispensary is now conducted at Vidura and the Medical Officer in charge of the Palode dispensary attends to the work.

(c) Rs. 20 per mensem.

(d) Every Monday and Thursday.

(e) There is no Hospital Assistant now. The minimum pay of a Sub-Assistant Surgeon is Rs. 50 per mensem.

(f) This will depend on the grade and pay of the officer appointed?

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the Medical Officer of the Palode dispensary finds it difficult to attend to Vidura dispensary also?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government are not aware of that.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the Vidura dispensary stands in need of a separate Medical Officer?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have no information on that point. As far as Government know, the present arrangement meets the requirements of the people.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether there were any representations from the public of the locality for a separate Medical Officer for Vidura dispensary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, there were.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the representation of the people would be satisfied by the Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government examined the question and called for a report and they are satisfied with the report received from the Durbar Physician.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): In view of the answer above, I would like to know from the member how many patients there are in the Vidura dispensary.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice, Sir; I have not got the figure.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether the Palode dispensary is being affected by this arrangement?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): As far as Government know, it is not being affected.

The Education Advisory Board.

203. ***MR. S.J NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) the members of the Education Advisory Board recently formed:

(*b*) how many members were nominated from amongst the elected members of the Assembly and who they are;

(*c*) how many members were nominated from amongst the elected members of the Council and who they are;

(*d*) who the remaining members are;

(*e*) who nominated the members;

(*f*) the principle under which the members were nominated to the Board; and

(*g*) whether a list of the members with their special qualifications to represent in the Board would be placed on the table?

MR. R. M. STATHAM (*Director of Public Instruction*):

(*a*) 1 Mr. P. Balakrishnan Tampi, B. A., B. L.
2 ,, S. Piraviperumal Pillai
3 ,, C. M. Joseph
4 ,, K. Sivarama Panickar, B. A., L. T.
5 ,, Changanachery K. Paramesvaran Pillai, B.A., B.L.
6 ,, P. K. Narayana Pillai, B. A., B. L.
7 ,, A. Thanu Pillai, B. A., B. L.
8 ,, K. Sankaran B. A., B. L.
9 ,, Pacode A. Narayana Pillai, B. A., B. L.
10 ,, K. Mahomed, B. A.
11 Srimati T. Narayani Amma, B. A.
12 Mr. T. T. Kesavan Sastri
13 ,, M. Govindan B. A., B. L.
14 ,, U. Ramakrishna Kukkillaya, B. A., L. T.
15 Vicar General The Rt. Rev. Mgr. C. K. Mattom M. R. A. S., F. R. S. A.
16 Right Rev. Geeverghese Mar Philoxenos M. A., B. D., Bishop of Thumpamon, Pattanamtitta.
17 The Most Rev. Mar Alexander Chulaparambil D. D.
18 Rev. A. H. Legg M. A.
19 Miss Annamma Alexander, B. A., L. T.
20 Mr. K. K. Kuruvilla, M. A., B. D.

[Mr. R. M. Statham.]

(*b*) Six

1 Mr. Changanachery K. Paramesvaran Pillai, B.A., B. L.
2 ,, P. K. Narayana Pillai, B. A., B. L.
3 ,, A. Thanu Pillai, B. A., B. L.
4 ,, K. Sankaran, B. A., B. L.
5 ,, Pacode A. Narayana Pillai, B. A., B. L.
6 ,, K. Mahomed, B. A.

(*c*) Four

1 Mr. P. Balakrishnan Tampi, B. A., B. L.
2 ,, S. Piraviperumal Pillai
3 ,, C. M. Joseph
4 ,, K. Sivarama Panicker, B. A., L. T.

(*d*) The member is referred to the answers to parts (*a*), (*b*) & (*c*).

(*e*) The Government, on the recommendation of the Director of Public Instruction.

(*f*) Suitability for the purpose.

(*g*) No. Such a statement can serve no useful purpose.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether any of the nominated members are elected to the Board from amongst the members of the Assembly and the State Council?

MR. R.M. STATHAM (*Director of Public Instruction*): If the honourable member means whether any nominated member of the Assembly and the State Council is represented on the Board, the answer is no.

MR. S. J. NAIR (*Nedumangad*): May I know from the member why the elected members were nominated to the Board?

MR. R. M. STATHAM (*Director of Public Instruction*): That question, Sir, has come under next question. But I can answer that direct now. It was thought advisable that as far as possible 50 per cent. of the Board would have elected members on it.

MR. S. J. NAIR (*Nedumangad*): Sir, the answer is not clear. So I put this question. May I know from the member whether he undertook in addition to correspond with the members and obtain their approval before they were nominated?

MR. R. M. STATHAM (*Director of Public Instruction*): No, Sir.

Selection of members to the Education Advisory Board.

204. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) what was the promise that the Director of Public instruction has made on behalf of the Government in the matter of the formation of the Education Advisory Board;

(*b*) the principle under which the members to the Board have been selected; and

(*c*) for what purpose the Education Advisory Board has been constituted?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) The member is referred to the Proceedings of the Sri Mulam Assembly, dated the 15th November 1933.

(*b*) No one principle was exclusively followed. Many considerations were taken into account.

(*c*) To advise the Director of Public Instruction regarding the recommendations made by the Education Reforms Committee.

MR. S. J. NAIR (*Nedumangad*): With regard to the answer to part (*a*), may I know from the member whether he, on behalf of the Government, undertook, in the proceedings that he just referred to, to nominate only elected members from the Assembly and the Council?

MR. R. M. STATHAM (*Director of Public Instruction*): No.

MR. S. J. NAIR (*Nedumangad*): Can I point out that he has undertaken to nominate from the elected members only?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. S. J. NAIR (*Nedumangad*): In view of the recommendations received from the Director, the Government are prepared to have 50 per cent. of the Advisory Board from the members of the Assembly and the State Council mainly from the elected members.

MR. R. M. STATHAM (*Director of Public Instruction*): The member has already read the reference and the Government in appointing the Advisory Board did not go beyond the Director and put only 50 per cent.

Nomination of members to the Education Advisory Board.

205. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) how many members there are in the Education Advisory Board altogether;

(*b*) how many of them are employed in the Government service;

(*c*) how many are employed in the grant-in-aid institutions of the State;

(*d*) how many are connected with or interested in the grant-in aid institutions in the State;

(*e*) how many are related to those employed in Government institutions; and

(*f*) whether the Director was advised by anybody or exercised his independent choice in the matter of selection of members to the Board?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Twenty.

(*b*) None.

(*c*) Three.

(*d*) Five.

(*e*) Information on the point is not available.

(*f*) The Director exercised his independent choice in making his recommendation to Government.

MR. K. R. ELENKATH (*Kalkulam I*); With reference to part (*d*) of the answer, may I know whether the Director of Public Instruction has a list of the staff of aided schools, and of people in charge of the schools?

MR. R. M. STATHAM (*Director of Public Instruction*) : By people in charge, does the Member mean the managers ?

MR. K. R. ELENKATH (*Kalkulam I*) ; No teachers and headmasters.

MR. S. J. NAIR (*Nedumangad*) : With reference to part (*e*), may I know whether the Director keeps in his office a list of the members of the staff of aided schools ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Yes.

MR. S. J. NAIR (*Nedumangad*) : May I know the reason why that information has not been furnished ?

MR. R. M. STATHAM (*Director of Public Instruction*) : The information has been furnished in answer to part (*c*).

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member how many are related to members from the aided schools.

MR. R. M. STATHAM (*Director of Public Instruction*) : Information as to how many are related is not available.

Work of the Education Advisory Board.

206. ***MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state :

(*a*) when the Education Advisory Board met for the first time;

(*b*) how many meetings of the Board were held;

(*c*) how many members were present on each occasion ;

(*d*) the members who were absent, and the reason or reasons for their absence;

(*e*) the proposals that were discussed in the Board meeting; and

(*f*) the proposals that were passed or adopted in the meeting or meetings ?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) 20th December 1933.

(*b*) One.

(*c*) Eighteen including the Chairman and the Secretary.

(*d*) Mr. Changanachery K. Paramesvaran Pillai B. A. & B.L. (out of station)

Mr. K. Sivarama Panickar B. A. L. T. (Illness).

Mr. A. Thanu Pillai B. A. B. L. (Illness)

Mr. C. M. Joseph (Another engagement).

(*e*) A copy of the * agenda for the meeting is placed on the table.

(*f*) The Board accepted the recommendations of the Committee in respect of all the items placed before them.

MR. S. J. NAIR (*Nedumangad*) : May I know from the member whether in the discussion in the Board meeting the suggestions made by the members of the Assembly on the floor of the House were taken into consideration ?

**Vide* Appendix X.

MR. R. M. STATHAM (*Director of Public Instruction*): That, Sir arises in the next question.

The Educational Reforms Committee Report.

207. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state:

(*a*) what action or actions the Director of Public Instruction has taken in the light of discussions in the 2nd Session of the Assembly on the Report of the Education Reforms Committee;

(*b*) whether the Director has paid any heed to the criticisms made by the majority of the members during the course of discussion of the Report in the Assembly; and

(*c*) if the answer to part (*a*) is in the affirmative, what action the Director has taken upon them?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) The composition of the Advisory Education Board was revised in accordance with the wishes of the Assembly and the major recommendations regarding the reorganisation of the Inspectorate and Mass Education contained in the Education Reforms Committee Report have been placed before Government after being considered by the Advisory Board.

(*b*) Yes.

(*c*) The member is referred to the answer to part (*a*).

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the recommendations made in the Advisory Board were forwarded to Government in toto?

MR. R. M. STATHAM (*Director of Public Instruction*).: Not all the recommendations placed before the Advisory Board were sent to Government.

MR. S. J. NAIR (*Nedumangad*): May I know from the member why some of the recommendations that were made by the Advisory Board were not forwarded to Government?

MR. R. M. STATHAM (*Director of Public Instruction*): The recommendations discussed in the Advisory Board are being submitted to Government one by one and all the recommendations have not reached the Government.

MR. S. J. NAIR (*Nedumangad*); May I know from the member whether the Government intend sanctioning the recommendations that were made by the member?

PRESIDENT: The question is overruled.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether Government have sanctioned any of the recommendations of the Advisory Board?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. S. J. NAIR (*Nedumangad*): May I know from the member which recommendation has been sanctioned by the Government?

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* *Vide* Appendix X.

MR. R. M. STATHAM (*Director of Public Instruction*): I claim notice.

First Class Magistrate's Court for Nedumangad.

208. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:—

(*a*) the number of criminal cases pending before the Trivandrum First Class Magistrate's Court from the jurisdiction of the Nedumangad taluk;

(*b*) whether they are aware that a First Class Magistrate's Court is required in Nedumangad; and

(*c*) whether the Munsiff of Nedumangad be invested with First Class Magistrate's powers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Calendar cases	...	26
P. E. cases	...	4
Miscellaneous cases	...	9
Total		39

(*b*) They do not think so.

(*c*) No.

MR. S. J. NAIR (*Nedumangad*): May I know from the member, whether the Munsiff at Nedumangad was once invested with First Class Magistrate's powers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. S. J. NAIR (*Nedumangad*): May I know from the member, when that power was invested with the Munsiff, whether there was a sufficient number of cases on the file of the First Class Magistrate's Court?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether there are demands from the public of Nedumangad that a First Class Magistrate's Court must be established there?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There may be.

Nomination of members to the Text-Book Committee.

209. ***MR. K. MAHOMED** (*Alwaye*): (*a*) Will the Government be pleased to lay on the table a statement, by caste, showing the number of members nominated to the newly constituted Text-Book Committee?

(*b*) Will they be pleased to state;

(i) whether nomination is based on communal representation; and

(ii) whether there used to be Muslim members in the Text-Book Committee on previous occasions?

(c) (i) Are the Government aware of the fact that Islam and the Holy Prophet are very often scandalised and maliciously treated by non-Muslim authors and writers ?

(ii) Were the Government forced to take action against some of these worthless publications ?

(iii) If so, how many times and against how many books did they take action ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

(a) Brahmins	...	4
Nairs	...	7
Christians	...	7
Europeans	...	2
Anglo-Indian	...	1
Ezhava	...	1
Vellala	...	1
Mudaliyar	...	1
Kshatriya	...	1
Total	...	25

(b) (i) No.

(ii) Yes.

(c) (i) Yes. There was unfortunately one such instance in the past.

(ii) Yes.

(iii) Once, only against one book.

MR. K. MAHOMED (*Alwaye*) : In regard to the answer to part (b) (i), if the nomination is not based on communal representation, may I know what is the meaning of nominating from all other communities except the Muslim community ?

MR. R. M. STATHAM (*Director of Public Instruction*) : I do not think that all the other communities are represented. I can think of several communities not represented on the Board.

MR. K. MAHOMED (*Alwaye*) : All the important communities are represented. The Muslim community though a minority community is an important community which has not been represented on the Board.

MR. E. V. KRISHNA PILLLI (*Pattanamtitta*) : On a point of order. The member is giving information and not at all seeking it.

PRESIDENT : He wants to know why a Muslim was not appointed.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know from the member whether there are not Arabic Munshies in the institutions ?

MR R. M. STATHAM (*Director of Public Instruction*) : Yes, there are.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know from the member whether Muslim gentlemen who are well versed in Arabic would be better suited in the matter of prescribing text-books in Arabic ?

MR. R. M. STATHAM (*Director of Public Instruction*) : The text-books are not prescribed by this Board.

MR. M. SIVATANU PILLAI (*Tovala*): Will not such persons be better suited to prescribe text-books?

PRESIDENT: That is a suggestion.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is there any Committee authorised to prescribe text-books?

MR. R. M. STATHAM (*Director of Public Instruction*): The Board under discussion here is authorised only to make recommendations.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Does not the Director of Public Instruction feel the need for a Muslim member on the Text-Book Committee?

MR. R. M. STATHAM (*Director of Public Instruction*): I may say Sir, that there are very few Arabic books that come before the Text-Book Committee. One Arabic text-book alone came before them and there are competent men in the department to advise.

MR. K. R. ELENKATH (*Kalkulam I*): Are there not competent men in the department to advise the Director of Public Instruction in the choice of other books, English and Malayalam?

MR. R. M. STATHAM (*Director of Public Instruction*): That is so.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member whether there was a Muslim member hitherto in the Committee?

MR. R. M. STATHAM (*Director of Public Instruction*): The Mahomedan Inspector of Schools was at one time on the Committee.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member whether there is any special reason why a Muslim was not nominated this time?

MR. R. M. STATHAM (*Director of Public Instruction*): There was no special reason other than the general reason given in answer to the question.

MR. S. J. NAIR (*Nedumangad*): May I know from the member the reason for the existence of the Text-Book Committee if the members of the committee are not to prescribe text-books?

PRESIDENT: The answer was that they recommend certain books. That is their function.

MR. S. J. NAIR (*Nedumangad*): May I know from the member the body or the person who is to prescribe text-books as a result of the recommendations of the Text-Book Committee?

MR. R. M. STATHAM (*Director of Public Instruction*): The Government.

Appointments in the Office of the Director of Public Instruction.

210. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) how many appointments were made in the office of the Director of Public Instruction during the first six months of the year 1109;

(*b*) how many of these newly appointed persons in the staff of the Director of Public Instruction are Brahmins, Christians, Nairs, Ezhavas, Muslims and depressed classes ;

(*c*) whether previous acting service was taken into consideration in making these new appointments in the office of the Director of Public Instruction ;

(*d*) if not, why :

(*e*) whether the claims of those who were in the waiting list were overlooked in making these new appointments to the staff of the Director of Public Instruction ;

(*f*) if so, in how many cases ;

(*g*) whether the Brahmin community is not over-represented in the office of the Director of Public Instruction ;

(*h*) whether any Brahmins were appointed in the office of the Director of Public Instruction in 1109 overlooking the claims of persons, including Brahmins themselves, in the waiting list :

(*i*) if so, why :

(*j*) whether Christians, Ezhavas, Nairs, Muslims and depressed classes were appointed in 1109, while there were members belonging to those communities in the waiting list : and

(*k*) if the answer to part (*j*) is in the affirmative, the instances in which such action was taken ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

(*a*) Sixteen.

(*b*) Brahmin	...	1
Nairs	...	4
Christians	...	5
Ezhavas	...	2
Mahomedan	...	1
Vellala	...	1
Nadar	...	1
Depressed class	...	1
		16

(*c*) Yes.

(*d*) This does not arise in view of the answer to part (*c*).

(*e*) No.

(*f*) This does not arise in view of the answer to part (*e*).

(*g*) Yes.

(*h*) No.

(*i*) This does not arise in view of the answer to part (*h*)

(*j*) No.

(*k*) This does not arise in view of the answer to part (*j*).

MR. K. MAHOMED (*Alwaye*) : In regard to part (*b*), if the Brahmins are over-represented, then why were they again appointed in 1109, other than those who were in the waiting list ?

MR. R. M. STATHAN - (*Director of Public Instruction*) : There is no reason to exclude the Brahmins altogether. Out of 16 appointments, only one Brahmin was given an appointment and I see no reason to exclude that community altogether.

Appendix I.

[*Vide* Answer to Question No. 171.]

Statement of teachers by caste appointed during the years 1106, 1107 & 1108.

1106

Caste.	Dist. I Permanent.	Dist. I Acting.	Dist. II Permanent.	Dist. II Acting.	Dist. III Permanent.	Dist. III Acting.	Dist. IV Permanent.	Dist. IV Acting.	Dist. V Permanent.	Dist. V Acting.	Dist VI Permanent.	Dist VI Acting.
I. Hindus :												
Brahmins (others)	..	..	..	..	..	..	..	..	..	2	..	..
Nadars	..	..	..	..	..	..	..	..	..	..	..	..
Ezhavas	..	..	..	28	..	1	..	1	..	7	..	1
Kamalas	..	..	..	18	1	..	..	..	..	..	..	..
Kshatriyas	..	..	..	..	..	..	..	..	..	..	..	..
Nairs	2	2	..	58	1	2	..	20	..	39	..	12
Pulayas	..	..	..	4	..	1	..	..	..	..	..	..
Other depressed classes	..	..	..	2	..	..	..	..	..	..	..	..
Vellalas	..	..	..	3	..	..	..	..	..	..	..	..
Other Hindus	..	..	..	5	..	..	..	..	..	3	..	..
II. Musalmans	..	..	..	1	..	..	..	..	..	..	..	..
III. Christians												
Protestant	..	15	..	21	1	2	..	4	..	..	..	..
R. C. Xian, Syriac rite	..	1	..	..	..	1	..	1	..	1	..	..
Do. Latin rite	..	..	..	..	..	..	..	..	..	..	..	6
Jacobites	..	..	..	1	..	..	..	4	..	31	..	2
Marthoma	..	..	..	..	..	..	..	6	..	4	..	..
Church of England	..	..	..	..	..	..	..	..	..	..	..	..
Depressed classes xians	..	..	..	..	..	..	..	..	..	1	..	..
IV. Others	..	..	..	10	..	..	..	..	..	1	..	..

1107

Caste.	Dist. I Permanent.	Dist. I Acting.	Dist. II Permanent.	Dist. II Acting.	Dist. III Permanent.	Dist. III Acting.	Dist. IV Permanent.	Dist. IV Acting.	Dist. V Permanent.	Dist. V Acting.	Dist. VI Permanent.	Dist. VI Acting.
I. Hindus :												
Brahmins (others)	..	..	..	..	..	..	..	..	..	1	..	1
Nadars	..	..	..	..	..	..	..	..	..	..	..	..
Ezhavas	..	..	..	..	..	14	..	6	..	5	..	3
Kamalas	..	..	..	..	..	..	..	1	..	1	..	..
Kshatriyas	..	..	..	..	..	..	..	..	..	..	..	..
Nairs	..	1	..	62	1	..	..	30	..	10	..	12
Pulayas	..	..	..	1	..	..	..	..	..	..	..	..
Other depressed classes	..	..	..	..	..	..	..	..	..	..	..	1
Vellalas	..	1	..	..	..	..	..	..	..	..	..	..
Other Hindus	..	..	..	4	..	..	..	3	..	1	..	1
II. Musalmans	..	..	..	..	..	..	..	..	..	..	..	..
III. Christians												
Protestant	..	..	..	21	..	2	..	3	..	2	..	1
R. C. Xian, Syriac rite	..	..	..	8	..	..	..	1	..	..	..	3
Do. Latin rite	..	..	..	..	..	..	..	..	..	3	..	4
Jacobites	..	..	..	..	..	3	..	12	..	10	..	8
Marthoma	..	..	..	..	..	1	..	26	..	3	..	1
Church of England	..	..	..	..	..	..	..	1	..	..	..	..
Depressed classes xians	..	..	..	..	..	..	..	..	..	1	..	..
IV. Others	..	..	..	..	..	3	..	..	..	..	..	..

1108

Caste.	Dist. I Permanent.	Dist. I Acting.	Dist. II Permanent.	Dist. II Acting.	Dist. III Permanent.	Dist. III Acting.	Dist. IV Permanent.	Dist. IV Acting.	Dist. V Permanent.	Dist. V Acting.	Dist. VI Permanent.	Dist. VI Acting.
I. Hindus :												
Brahmins (others)	..	..	..	..	..	..	..	..	..	..	..	..
Nadars	..	1	..	..	..	..	..	..	..	..	..	..
Ezhavas	..	..	..	19	..	1	..	..	..	1	..	1
Kamalas	..	..	..	..	..	..	..	2	..	..	..	..
Kshatriyas	..	..	..	..	..	..	..	..	..	..	..	..
Nairs	..	2	..	86	..	..	..	44	..	18	..	8
Pulayas	..	..	..	1	..	..	..	..	..	..	..	..
Other depressed classes	..	..	..	1	..	..	..	..	..	..	..	..
Vellalas	..	..	..	..	..	..	..	..	..	..	..	..
Other Hindus	..	1	..	10	..	..	..	2	..	4	..	1
II. Musalmans	..	..	..	..	..	..	..	..	..	1	..	..
III. Christians												
Protestant	1	3	..	23	1	3	..	9	..	3	..	..
R. C. Xian, Syriac rite	..	..	..	..	..	1	..	8	..	..	..	..
Do. Latin rite	..	..	..	..	..	..	..	..	..	6	..	1
Jacobites	..	..	..	1	..	..	..	13	..	15	..	1
Marthoma	..	..	..	..	..	..	..	23	..	14	..	1
Church of England	..	..	..	..	..	..	..	2	..	..	..	1
Depressed classes xians	..	..	..	..	..	..	..	..	..	1	..	..
IV. Others	..	..	..	..	..	..	..	..	..	..	..	..

Appendix II.

***Vide* Answer to Question No. 173.**

List of Drawing Mistresses who have acted in Girls' Schools.

Rank No.	Names of persons acted.	Qualification with the year of passing.	Date of 1st appointment.	Total service up to Kanni 1109. Yrs.	Ms.	Dys.	Remarks.
1	A. K. Aleyamma	Free-hand Outline Drawing Inter: of 1919	4-6-1096	..	8	21	
2	K. Janaki Amma	Inter: Free-hand of 1922, Group Certificate of 1107	12-10-1097	..	11	3	She was working in a private school up to the 1st March 1932.
3	Mary Augustine	Free-hand Out-line Drawing Inter: 1926	16-10-1097	..	6	7	Do.
4	K. Patchi Amma	Do. 1096	11-11-1097	..	2	..	Do.
5	E. Parvathi Amma	Group Certificate of 1097	27-12-1097	2	1	11	
6	K. K. Lekshmikutty Amma	Do. of 1107 and Free-hand Outline Inter: 1921	21-10-1098	2	2	3	
7	G. Thankamma	Free-hand Out-line Inter: of 1924	13-12-1098	1	11	2	
8	N. Devaki Amma	Do. of 1921	15-2-1099	1	6	..	
9	P. O. Mariamma	Group Certificate of 1929	3-6-1099	2	8	9	
10	M. V. Achamma	Do. of 1924	2-7-1099	..	10	29	
11	M. Achi Amma	Free-hand Outline Inter: of 1094	8-6-1100	..	6	1	
12	N. Lekshmikutty Amma	Group Certificate of 1923	13-10-1100	..	3	..	
13	P Kamalakshi Amma	Free-hand Outline Inter: of 1923	17-12-1100	..	10	16	
14	Mariam K. G. Oommen	Group Certificate of 1929	19-1-1101	5	9	14	
15	M K. Chinna	Do. 1921	20-6-1101	1	3	19	
16	M. P. Kamalakshi Amma	Do. 1926	8-7-1101	2	7	28	
17	P. Madhavi	Free-hand Outline Inter: of 1923	29-11-1101	1	7	17	
18	P. I. Mary	Do. 1923	11-12-1101	..	2	11	
19	K. O. Annamma	Group Certificate of 1923	2-3-1102	1	9	17	
20	A. Ammukutty Amma	Do. 1928	Do.	..	3	29	

APPENDIX II—(*contd.*)

Rank No.	Names of person acted.	Qualification with the year of passing.	Date of 1st appointment.	Total service up to Kanni 1109. Yrs.	Ms.	Dys.	Remarks.
21	R. C. Mariamma	L. G. Free-hand Outline and Inter: of 1099	27-3-1103	..	8	26	
22	K. N. Rugmini Amma	Free-hand Outline Inter : of 1094	9-8-1103	..	..	17	Up to 1-3-1932.
23	M. Aleya	Drawing Group Certificate	Do.	..	..	9	Information re: the year of passing not available.
24	M. Mariam	Free-hand Outline Drawing Inter:	20-11-1103	..	4	23	
25	P. Bhageerathi Amma	Group Certificate of 1923	24-2-1104	1	..	12	
26	T. P. Bhavani Amma	Free-hand Out line Inter: 1923	30-2-1104	..	1	11	
27	T. T. Susannamma	Group Certificate of 1926	19-4-1104	..	6	27	
28	Elsie Beatrice	L. G. Free-hand Outline and Model Drawing 1924	8-7-1104	..	..	..	Information re: the service not available.
29	L. Neelukutty Amma	Group of 1931	18-12-1104	..	4	22	
30	P. Madhavi Amma	Free-hand Out-line Intermediate 1923	21-12-1104	1	3	..	
31	P. M. Aleyamma	Group of 1930	22-12-1104	..	4	8	
32	P. V. Ponnamma	H. G. Free-hand Outline Model Drawing 1926	26-12-1104	1	1	11	
33	Elachy Philipose	Free-hand Outline Inter: of 1922	17-4-1105	..	2	27	
34	P. M. Achamma	Lower Free-hand Outline and Model Drawing	3-7-1105	..	..	..	Information re: the year of passing and the total service not available.
35	T. C. Sosamma	Group of 1933	17-2-1106	..	7	18	
36	K. Kunji Amma	Free hand Outline Inter: 1923	5-2-1107	..	..	..	Information re: service is not available.
37	M. Aleya	Do.	9-3-1107	..	...	15	Information re: the year of passing not available.
38	B. Chellamma	L. G. Free-hand Outline and Model Drawing of 1924	4-4-1107	..	..	16	Up to 1-3-1932.
39	C. Aleyamma	Higher Free-hand Outline & Model Drawing of 1931	14-11-1107	..	2	..	
40	C. Ammukutty Bai	Do. of 1932	8-3-1109	...	..	8	

Appendix III.

[*Vide* Question No. 176]

Pakuthiwar statement of different kinds of damages done by the floods in Neyyattinkara taluk.

No.	Name of Pakuthi.	Area of paddy cultivation damaged.		Area silted.		No. of houses destroyed or damaged.
		A	C	A	C	
1	Kulathur	78	18	22	55	41
2	Chenkal	139	23	6	½	94
3	Parassala	6	19	1	9	...
4	Kollayil	3	2	2	56	14
5	Kunnathukal	7	90	34	73⅓	..
6	Ottasekharamangalam	65	28	5	75¾	44
7	Perumkadavila	24	32	21	48	34
8	Neyyattinkara	266	26	37	22	393
9	Athiyannur	17	96	40	11	...
10	Thirupuram	187	84	8	18	187
11	Kottukal	4	63	58	35	...
12	Thiruvellam	55	10	17	62	59
13	Nemom	...	...	12	50	264
14	Pallichal	13	44	10	38¼	2
15	Vilappil	95	20¼	110	83	71
16	Marukil	27	64	22	28	...
17	Maranallur	...	...	17	7½	..
18	Karunkulam	...	...	...	...	..

Appendix IV.

[*Vide* **Question No. 177**]

Statement showing the annual income derived from demand notice fees for recovery of land revenue between the years, 1099 & 1108.

	Trivandrum.	Quilon.	Kottayam.	Devicolam.
1099 .	17502-20-0	25829- 0-0	25285-24-0	1290- 8-0
1100 .	18486-27-0	25628- 0-0	26052- 8-0	1368-12-0
1101 .	18413- 0-0	28630- 0-0	23984- 4-0	1192- 8-0
1102 .	14979-24-0	28049- 0-0	20411-10-0	1168-12-0
1103 .	14426- 2-0	28525- 0-0	19292-24-0	1316 0-0
1104 .	17257-16-0	27484- 0-0	17982- 0-0	1191- 8-0
1105 .	15904-24-0	30698- 0-0	20045- 8-0	1270-8-0
1106 .	16622-24-0	33828- 0-0	23489- 0-0	1535-20-0
1107 .	19896- 8-0	42033- 0-0	28095-16-0	1[illegible]7-12-0
1108 .	18518-20-0	35169- 0-0	26010-24-0	1836- 4-0

Appendix V

Vide Question No 178

Pakuthi-war statement showing the different kinds of damage caused by the floods of Edavam and Mithunam 1108 in the Chirayinkil taluk and the reliefs granted.

No.	Name of Pakuthi.	No. of buildings damaged.	Extend of paddy fields the crops on which have been damaged. Acre.	Cent.	Relief granted.
1	Chirayinkil ...	183	97	8	Relief was given to the really deserving and the needy by way of giving dharmakanji and distributing rice, chilli and salt. The poor house owners, whose houses had been damaged were supplied with bamboos. Rice was distributed to the sufferers at Chirayinkil, Kadakavur Kalikkara. Rice, chilli and salt were supplied from the Attingal Municipality.
2	Sarkara .	48	28	85	
3	Azhoor ...	...	1	18	
4	Koonthalloor ...	135	203	11	
5	Keezhvalam ...	23	216	45	
6	Kadakavoor ...	744	...	...	
7	Manamboor ...	44	6	43	
8	Ottur ...	8	1	8	
9	Cheruniyur ...	33	...	...	
10	Warkala ...	...	1	69	
11	Vettoor ...	29	1	98	
12	Edava ...	...	14	81	
13	Chemmaruthi ...	1	18	78	
14	Airoor ...	9	5	26	
15	Navaikulam ...	...	21	94	
16	Karavaram ...	...	1	9	
17	Madavoor ...	...	5	36	
18	Vellaloor ...	...	57	6	
19	Pallikal ...	...	23	50	
20	Nagaroor ...	4	39	41	
21	Pulimath ...	18	52	10	
22	Koduvazhannoor ...	14	67	91	
23	Attingal ...	45	70	30	
24	Avanavancherry ...	37	83	23	
25	Keezhattingal ...	46.	149	27	
26	Alencode ...	29	51	75	
27	Edakode ...	11	103	78	
28	Mudakal ..	21	126	33	
29	Kilimanoor ...	...	5	...	
30	Pazhaya Kunnumel ...	....	24	60	

Appendix VI.

(*Vide* Question No. 180).

Statement by caste showing the number of clerks permanent, temporary and acting in the Registration Department corrected up to 1st Medam 1109.

Caste.	Permanent.	Temporary.	Acting.	Remarks.
I. HINDU.				
1. Brahmin Malayala .	6	1	8	
2. Do, others .	51	5	42	
3. Ezhava .	28	4	33	
4. Kammala .	5	..	9	
5. Kshatriya .	8	..	5	
6. Nadar .	1	.	3	
7. Nayar .	225	13	224	
8. Pulaya .	1	..	..	
9. Vellala .	16	1	24	
10. Other depressed classes .	9	2	15	
11. Other Hindus .	17	..	29	
II. MUSALMAN. .	19	2	14	
III. CHRISTIAN.				
1. Protestant .	9	1		
2. Roman Catholic				
(a) Latin Rite .	14	..		
(b) Syriac Rite .	5	1		
3. Syrian			96	
(a) Jacobite .	31	..		
(b) Marthoma .	24	1		
4. Church of England .	..	..		
5. Depressed Class Christians .	..	..		
Others .	..	..	..	
Vacant .	1	..	...	
Total .	470	31	502	

Appendix VII.

Vide Question No. 184.

Statement showing the duty realised on copra etc., in 1098 and 1108.

Article.	Duty.	
	1098 Bh. Rs.	1108 Bh. Rs.
Cocoanuts .	49,802	50,849
Copra .	4,09,964	2,40,275
Cocoanut oil .	3,68,225	2,81,781
Punnac .	53,823	59,813

Appendix VIII.

(*Vide* **Question No. 185**.)

Particulars of Ceylon copra imported into Alleppey.

Date.	Quantity imported.	
	Cwts.	Lbs.
14-4-1107	300	..
3-1-1108	2	28
24-1-1108	100	..
2-2-1108	994	..
4-2-1108	300	..
5-2-1108	400	..
6-2-1108	500	..
7-2-1108	500	..
8-2-1108	288	..
11-2-1108	300	..
12-2-1108	200	..
26-2-1108	3,972	28
28-2-1108	400	..
29-2-1108	400	..
30-2-1108	1,400	..
1-3-1108	400	..
2-3-1108	389	..
9-3-1108	400	..
10-3-1108	400	..
11-3-1108	400	..
15-3-1108	880	..
16-3-1108	2,347	90
17-3-1108	531	28
18-3-1108	425	..
19-3-1108	325	14
20-3-1108	706	63
23-3-1108	400	..
24-3-1108	1,400	..
25-3-1108	1,196	98
26-3-1108	609	35
27-3-1108	1,440	..
29 3-1108	960	..
30-3-1108	1,722	21
1-4-1108	400	..
2-4-1108	580	70
3-4-1108	400	..
4-4-1108	400	..
10-4-1108	500	49
12-4-1108	265	70
14-4-1108	234	91
13-12-1108	520	..
14-12-1108	480	..
28-12-1108	1,920	56
31-12-1108	70	28
Total	30,761	97

Appendix IX.

(*Vide* **Question No. 200**).

List of roads in Nedumangad Section with the maintenance grant allotted.

Item No.	Name of roads.	Length of roads.	Grant.	Remarks.
	METALLED ROADS.			
1	T. S. Road miles 8 to $21\frac{1}{2}$ ...	$14\frac{1}{2}$	5800	
2	T. P Road miles $14\frac{3}{4}$ to 28 ...	$13\frac{1}{4}$	5300	
3	Vellanad road miles 0-3 ...	3	750	
4	Nedumangad-Shoralacode road 0-$1\frac{1}{2}$ ...	$1\frac{1}{2}$	525	
5	Vembayam-Nedumangad road 3 to 5 ...	3	400	
6	Vembayam-Pallipuram road 3rd mile ...	1	150	
	Total of metalled roads.	$36\frac{1}{4}$	12925	
	UNMETALLED ROADS.			
1	T.S. Road miles $21\frac{1}{2}$ to 27 ...	$5\frac{1}{2}$	1100	
2	T. P. Road miles 29 to 38 ...	10	4000	
3	14th mile T S. Road 4 Venjaramoodu 0-5 miles and Anad branch ...	$8\frac{3}{8}$	1256	
4	Vembayam-Pallipuram road miles 1 2 and 4 ...	3	300	
5	Road from 21st mile T. P. road to Valiavenkad Estate.	$1\frac{1}{4}$	250	
6	Vembayam-Nedumangad road 1 and 2 ...	2	200	
7	Nedumangad Town Roads ...	1	150	
8	Nedumangad-Shoralacode road $1\frac{1}{2}$ to 12 ...	$10\frac{1}{2}$	1050	
9	Vellanad road miles 4 to $7\frac{3}{8}$ ...	$4\frac{3}{8}$	438	
10	Arianad-Pallode road and Vithurai branch ...	$14\frac{3}{4}$	1475	
11	Vellanad-Arianad road branch.	$3\frac{1}{2}$	350	
12	Kottoor road $11\frac{1}{2}$ to $18\frac{1}{4}$ miles ...	$6\frac{3}{4}$	1350	
13	9th mile T. S. road to Aruvikarai ...	$2\frac{1}{2}$	312	
14	Kazhanad road ...	$4\frac{1}{4}$	212	
15	2nd mile Aruvikara to 3rd mile Katchani road ...	$\frac{3}{4}$	94	

Appendix IX—(*contd.*)

Item No.	Name of roads.	Length of roads.	Grant.	Remarks.
	UNMETALLED ROADS—(*contd.*)			
16	Katchani-Aruvikara road ...	$3\frac{1}{2}$	437	Two miles of the road since handed over to Water Works Division.
17	Road leading from Thannimoodu to Government Silk Farm at Vettampally.	1	100	Since handed over to West Sub Division.
18	M. C. Road miles 10 to 14 ...	5	1500	
	Total of unmetalled roads.		14574	
	VILLAGE ROADS.			
1	Vamanapuram to Chittar 7 to $12\frac{1}{4}$ ...	$6\frac{1}{4}$	250	
2	Nedumangad to Aruvikara ...	$2\frac{3}{4}$	110	
3	Aruvikara to Vellanad 2/7 ...	$2\frac{3}{4}$	110	
	Total of village roads ...		470	
	PLANTERS' ROADS.			
1	Vithurai Bonacord road 1st section ...	$5\frac{1}{4}$	2100	
2	Do. 2nd section ...	7	1400	
3	Pallode Bremore road 1st section ...	5	1313	
4	Do. do. 2nd section ...	$4\frac{3}{8}$	602	
	Total of Planters' roads ...		5415	
	PLANTERS' TRACES.			
1	Kallar to Frontier ...	10	400	
2	Bremore to Ponmudy ...	$3\frac{1}{4}$	143	
	P. W. D. TRACES.			
1	Karipure trace from Nedumangad to 16th mile T. P. Road ...	$3\frac{1}{2}$	70	
2	Neduneely trace 2/7 Vellanad road to Neduneely bridge etc. ...	$3\frac{1}{4}$	65	
3	Ozhamalakal to Paranthode ...	$3\frac{1}{2}$	70	
	Total of traces ...		205	

Appendix X.

(*Vide* **Question No. 206 part (e).**)

Agenda for the Meeting of the Educational Advisory Board.

1. The re-organisation of the Inspectorate.
2. The adoption of the system of mixed primary schools.
3. The extension of the primary classes up to the Fifth class.
4. The recognition of primary classes attached to English Schools, including Kindergarten and Nursery Schools.
5. The gradual closure of Vernacular middle schools and the stoppage of the V. S. L. Examination.
6. The amalgamation of the Colleges.
7. The introduction of optional subjects in the E. S. L. C. Course and the introduction of special subjects for Girls' High Schools.
8. The undertaking by Government of an industrial survey.
9. The opening of experimental vocational bias schools, after the primary stage.
10. The abolition of the existing waiting lists.
11. The employment of married women in certain posts in the department.
12. The adjustment of school hours in Vernacular Schools.
13. The appointment of Local Attendance Committee for primary schools.
14. The adoption of the Vernaculars as the medium of instruction in English Schools.
15. The proposals in the report regarding religious instruction.
16. Compulsory manual work in English Schools.
17. The raising of standards for admission to Colleges.

Legislative Business.

THE TRAVANCORE IMPORTATION OF LIVE STOCK BILL.

PRESIDENT : I believe the House has before it the agenda for the day in respect of the order in which legislative work will be taken up. The first item is "the Travancore Importation of Live Stock Bill". I may assure the honourable members that this procedure has been adopted not to cut short the discussion which was going on until last evening but merely to facilitate the disposal of legislative work before the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I beg to present the report of the Select Committee on the Travancore Importation of Live Stock Bill and beg to move that the Bill as reported be taken into consideration.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The question was put and the motion that the report of the Select Committee on the Travancore Importation of Live Stock Bill be taken into consideration was carried.

Clauses 1 to 5.

PRESIDENT : As I see there are no amendments so far tabled, it should be presumed that each clause has been read separately with the usual motion, that is, "it do form part of the Bill". The question is that Clauses 1 to 5 do form part of the Bill.

The question was put and Clauses 1 to 5 were added to the Bill.

PREAMBLE.

The question that the Preamble and Title form part of the Bil was put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I proceed to the third reading of the Bill. I move that the Bill be passed.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was carried.

THE TRAVANCORE MARKETS REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I beg to present the report of the Select Committee on the Travancore Markets Regulation Amendment Bill, and beg to move that the Bill, as reported, be taken up for consideration.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

The motion was put to vote and carried.

Clauses 1 to 3.

PPESIDENT . The question is that Clauses 1, 2 and 3.. ......

MR. S. J. NAIR (*Nedumangad*). Sir, I have got an amendment to move for Clause 1 sub-clause (4). In the proviso after sub-clause (4), between the words 'that' and 'a single shop', I propose the addition of the words 'a place containing'.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I object to the amendment, Sir, notice has not been given of it, nor any copies supplied.

MR. S. J. NAIR (*Nedumangad*): On a point of order, Sir.

The President has allowed me to move the amendment; therefore the member in charge of the Bill has no power to object to it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Under the Standing Orders, six days' notice has to be given of amendments, unless the President suspends the Standing Order concerned. Without such notice, no amendment can be moved, if objected to by a member of the House. Mr. Nair moves an amendment, and I raise objection to it.

PRESIDENT: And the President has now got to decide whether to waive the provision, in the Standing Order regarding notice, or not. Before he rules on the question, he would certainly like to know from the member who has moved the amendment whether he considers the amendment so important as to necessitate the exercise of the extraordinary powers vested in the President. Further, the member has got to explain why he did not send his amendment in time.

MR. S. J. NAIR (*Nedumangad*): As for the reason why I have not sent my amendment in time, I would only request you, Sir, to excuse me for the default. (*Laughter.*)

As for my reason for the amendment, I submit that, in order to make the definition clear, the expression 'a place containing' must find a place between the word 'that' and the words 'a single shop'.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): We are not able to understand the amendment at all.

PRESIDENT: The only ground that has been urged for the exercise of the special power vested in the President is that there is no reason (*Laughter.*) Only, an appeal has been made to the President that he should exercise such power. Nor am I able to see the importance of the amendment in order to be persuaded to exercise that special power. I am therefore sorry that, in view of the objection raised by the Law Member, the amendment is out of order. I do not see any reason to waive the provision in the Standing Orders.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Does the Chair 'excuse' the member? (*Laughter.*)

The question that Clauses 1, 2 and 3 do form part of the Bill was then put to vote and carried.

PREAMBLE.

The question that the preamble and title of the Bill do form part of the Bill was then put to vote and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, before I move the third reading of the Bill. I request

your permission to move a formal amendment. In Clause 1 (1), the title of the Bill, the figure '9' has to be inserted after the figures '110' to indicate the year of the passing of the Regulation. I beg to move the addition of the figure '9' after '110'.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

PRESIDENT : The motion is merely to fill up a blank deliberately left to admit of the year being inserted after the Bill has been passed by this House.

The amendment was carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I now move that the Bill be passed.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it

The question that the Bill be passed was put to vote and carried.

THE TRAVANCORE EDAVAGAI BILL—(*contd.*)

PRESIDENT : Before I allow the discussion to proceed, I wish to draw the attention of the House to the fact that, on the first amendment which was tabled—to the effect that the Bill be recommitted to the Select Committee the Chair allowed ample opportunity to enable the members to indulge in a full debate on all the important provisions of the Bill. The ground, therefore, has been fully covered in regard to what might be regarded as the vital provisions of the Bill. It would, therefore, save the time of the House and facilitate work if, when amendments are moved, members do not allow themselves to indulge in repetition of arguments already advanced on the floor of the House, but confine their observations to any new fact or argument which they now wish to urge for the consideration of the House. It is in that light that the Chair will proceed to watch the proceedings; and if there is any tendency to indulge in the repetition of arguments once advanced, honourable members know what the Chair will do.

Clause 4.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Sir, I beg to move that in Clause 4, line 2, the word 'recovered' be substituted for the word 'recoverable'.

The object of my amendment is to guarantee the recovery of the cost from the Chief in all cases, and not to leave it to the option of Government to recover it in some cases and not to take steps for recovery in other cases. Sir, the settlement of these Edavagais is to be undertaken not in the interests of Government but in the interests of the Chiefs. It will be readily conceded as a sound proposition of public finance that public funds should not be expended for the benefit of particular individuals. If the Clause is allowed to remain as it is, it might happen, for some reason or other, that Government may not recover the cost of settlement from the Chiefs. I may remind the Government and the House that these Edavagais are portions of the State wherefrom Government do not get anything by way of land revenue. We can understand public funds being spent when the

[Mr. A. Thanu Pillai.]

Government expect something as a result of such expenditure. Here, all the receipts go to the Chiefs, and there is absolutely no justification whatsoever for the expenditure of public funds. Further, the tenants are not to be benefited by this legislation. I would therefore strongly urge upon the House to accept my amendment.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I rise to second the amendment moved by Mr. Thanu Pillai. I wish to point out one fact in support of the amendment. It will be noticed that, some amounts spent for the settlement of the other Edavagais as well when they were settled, *were* realised from them.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I ask the member whether the entire cost of settlement was realised from the Edappalli Edavagai?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) I did not say that. I was very guarded in my statement. I only said that 'some amounts' were realised.

My point is that there is absolutely no reason why the provision should be left vague. If it is the desire of the House that Government should do the settlement at their own cost, let that be so stated in the Bill. There would be at least some grace in it. But once we contemplate recovery of the cost from the Chiefs, we must definitely provide that it must be recovered and should not leave it indefinite.

With these words, I support the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose the amendment. As the provision now stands in the Bill, it will be noticed that it is not obligatory on the part of Government to recover the cost. What is apparently in the mind of the mover of the amendment is that it should be made obligatory on the part of Government to recover the costs in every case. What Clause 4, wherein a specific reference is made to Clause 3, proposes to enact is that costs shall be recoverable on account of a settlement conducted *under Section 3* of the Regulation. Section 3 (2) reads thus :—

"The direction contained in sub-section (1) may be made—

(*a*) on the application of the Chief concerned and on his agreeing in writing to defray the whole cost of the settlement, or

(*b*) without such application for reasons to be recorded by our Government prior to the issue of such notification".

So, if the settlement is conducted in pursuance of sub-clause (*a*), the Chief will have to agree to defray and therefore actually defray the whole cost. In such a case, the Government can and will recover all the costs. If, in any case, the Chief does not make any application, then in such case, on grounds of public interest, Government may decide to undertake the settlement in which case sub-clause (*b*) will apply. In such a case it may not always be just that costs should be recovered. Therefore Government must have some discretion to recover the cost

or not according to the circumstances of the case. Thus it will be seen that the lands in the Edavagais may be settled either on the application of the Chief or without any application. In the latter case, the Government will decide on the circumstances of the case whether the entire cost or any portion of it should be recovered or not. It is for this purpose that the word 'recoverable' is put in.

MR. S. J. NAIR (*Nedumangad*): May I know from the member which is the correct legal phraseology, 'shall be recoverable' or 'shall be recovered'.

PRESIDENT: What the law Member has put is the legal phraseology.

MR. S. J. NAIR (*Nedumangad*): I want to know the opinion of the Law Member.

PRESIDENT: The only question before the House is whether the word 'recovered' shall be substituted for the word 'recoverable'. We do not want to go into the technology of phraseology.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): In the light of the phrase in clause 4 "all costs incurred by our Government on account of a settlement conducted", does the distinction sought to be made by the learned Law Member exist?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, it does.

The motion that the word 'recovered' be substituted for the word 'recoverable' was put to the vote of the House and lost.

The question that Clause 4 form part of the Bill was next put to vote and carried.

Clause 5.

PRESIDENT: The next amendment relates to Clause 5. Mr. Govinda Menon will move his amendment.

MR. N. GOVINDA MENON (*Co-opted*): Clause 5 sub-clause 2 (i) reads:—"for holdings held on permanent or irredeemable titles being settled as registered holdings without the levy of any *taravila* or *tadivila* or any alteration of the rent payable to the Chief".

Instead of that I move that "for all holdings being settled as registered holdings without the levy of any *taravila* or *tadivila*" be substituted.

The object of the amendment, as can be seen clearly, is to confer permanent rights of occupancy on all the holders of lands within the Edavagais without the levy of *taravila* or *tadivila*. The Bill, as published originally in the Gazette and discussed in the last session of the Assembly, provided that all holders of lands within the Edavagais will be given permanent rights of occupancy. In the Select Committee, there was a vital change effected in regard to this provision. Now under the provision under discussion, the majority of the Select Committee proposed to give permanent rights of occupancy without any levy of *taravila* or *tadivila* only to those who enjoy permanent rights of occu-

[Mr. N. Govinda Menon.]

pancy. Of course, there is nothing more to be given to those who enjoy permanent occupancy rights which they have already acquired under law. My submission is that to holders of lands within these Edavagais who have obtained titles from the Chiefs and who are in possession of the holdings under such title from the Chiefs, permanent rights of occupancy should be conferred without any levy of *taravila* or *tadivila*. The arguments advanced by Mr. Thanu Pillai yesterday in support of the amendment which was first moved by him for the recommittal of the Bill would apply equally well in support of my amendment. The holders of lands within these Edavagais, under whatever title they claim from the Chief, were enjoying the properties on a more or less permanent tenure. It may be said that some of the tenures are, like the *Venpattom* tenure, redeemable though after a term of years. But there has been no instance of such tenures having been redeemed the practice being to renew the document at the end of the term, the property being never recovered from the tenants. There was, more or less, a belief of permanency and the tenants have improved the properties. They have invested large amounts of their capital and labour and the properties have become now very precious for them and they are enjoying the properties in the belief of permanency. Under that condition, if the tenants are asked to pay *taravila*, however small it may be according to the Select Committee—it may go up to Rs. 15 per acre of dry land and Rs. 50 per acre of wet land it will be very hard for them. They have to pay this amount for getting permanent rights of occupancy. My submission is that, whatever be the nature of the titles under which the tenants are enjoying, permanent rights of occupancy should be conferred on them free of any payment. The Pattom Proclamation of 1040 conferred on the tenants of Travancore State permanent rights of occupancy even though they did not have such rights before. So also when the Edavagais of Kilimanur and Edappalli were settled, no *taravila* was levied although the tenants were enjoying the properties on insecure tenures like *Venpattom*. The Rent Recovery Regulation IV of 1068 conferred permanent rights of occupancy on all the holders in Kilimanur and Edappalli. There is therefore no justification for giving a different treatment to the tenants of Poonjar and Vanjipuzha in this respect. On that ground also, I urge that my amendment be accepted. With these few words, I move the amendment.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I second this amendment. I have given notice of several other amendments some of which will be comprised within this. But they relate to different provisions of the Bill. This covers all of them and probably more. I should be very glad if this proposal is accepted as it is, in which case it will not be necessary for me to move my amendments as this will cover even a larger field than is contemplated by the various amendments of which I have given notice. If this be rejected, my amendments will have to be moved.

PRESIDENT : Don't anticipate defeat.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Sir, my experience in this House has often been to suffer defeat. I am anticipating defeat so that I may avoid disappointment.

Now coming to the point, I want to answer especially one or two points that were raised by certain members here who opposed the motion for recommittal. For instance, I may refer to the arguments advanced by Mr P. K. Narayana Pillai yesterday. I refer to them now because I had no occasion then to answer him. He conceded that there would have been considerable force in my contention that since, in the case of *Venpattom* lands held under Sirkar and in the case of *Venpattom* lands held under Edappalli and Kilimanur, no *taravila* was levied when those lands were settled and permanent occupancy rights were conferred on the tenants in respect of such lands permanent occupancy rights should be conferred on the tenants of Poonjar and Vanjipuzha without levy of *taravila,* provided the conditions were not different. He said the conditions were different. His position was this. The settlement of Sirkar lands was by a Proclamation of 1040. Before that Proclamation of 1040, permanent occupancy rights were conferred on *Venpattom* tenants of the Sirkar. Similarly, he said, the settlement of the lands of Edappalli and Kilimanur was after the year 1068, that is, after Regulation IV of 1068 was promulgated and he said that, by virtue of that Regulation *Venpattom* tenants of Kilimanur and Edappalli were given permanent occupancy right, so that, at the time of the settlement of these Edavagais, tenants holding under *Venpattom* tenure had obtained permanent rights of occupancy. So there was no occasion to think of permanent right at the time of the settlement and that was the reason why at that time no *taravila* was levied.

Now, Sir, that argument is based upon a great misconception of the situation. The present Bill is introduced not merely to settle the lands in the Vanjipuzha and Poonjar Edavagais. But one of the avowed objects of the Bill is to confer permanent rights of occupancy to the tenants of Poonjar and Vanjipuzha. There are two objects to the Bill. One is to confer permanent right of occupancy on the tenants of Poonjar and Vanjipuzha and the other is to settle the lands in Vanjipuzha and Poonjar. We should not lose sight of this fact. There is no substance in the contention that, because the tenants have not already got the right of permanent occupancy, *taravila* can be imposed. Let us consider first the question of conferring permanent occupancy rights. Is it to be allowed only on condition that the tenants pay a price for the holdings? It is in that connection that we should go to the principle that was accepted in the case of Sirkar *Venpattom* lands. In conferring such rights, what is the principle to be followed is the question. If in the case of Sirkar, Kilimanur and Edappalli *Venpattom* lands, this could be done without the levy of *taravila,* I ask what difference does it make, what objection can there be in the case of Poonjar and Vanjipuzha? It is now contended by Mr. P. K. Narayana Pillai that lands in Kilimanur and Edappalli were treated

[Mr. A. Thanu Pillai.]

for the purpose of revenue collection and for the purpose of assessment and such other purposes more or less on the lines on which Sirkar lands were treated. In the case of Kilimanur and Edappalli lands, Government wanted the Revenue Recovery Regulation to be made applicable. So it is argued they had to bring those lands also into line with Government lands. The same thing is going to be done in respect of Poonjar and Vanjipuzha lands. The settlement is going to be effected by Government. All facilities for collection are to be given. Now the Chiefs say that they are unable to collect even one-tenth of their demand. Hereafter they are going to collect cent. per cent. by virtue of the Revenue Recovery Regulation. If we are going to give these facilities to these Chiefs, I ask, why should we not show the same concessions to the tenants as were shown to the tenants of Kilimanur and Edappalli? These concessions were shown by Government by the Pattom Proclamation of 1040 in the case of Sirkar tenants and by the Rent Recovery Regulation of 1068 in the case of Kilimanur tenants. We are to consider the question of conferring permanent occupancy rights independently of settlement even though both take place at the same time. In the case of Kilimanur and Edappalli, these rights were conferred by statutes declaring that the tenants in those lands should have the same rights as the tenants in respect of Sirkar lands. Now we are going to make a similar enactment. I would urge an additional ground because the settlement is to be done by the Government. The Chiefs come forward and say "You please make the provisions of the Rent Recovery Regulation applicable to our Edavagais also. We are not able to collect the rents due to us. You will kindly help us to collect the whole of our dues". When they come forward with such a request, is it not open to the Legislature to ask them, "Should you not in fairness confer on your tenants the same rights as were conferred on the tenants under the Sirkar and under the other Edavagai Chiefs"? Where is the impropriety, I ask? Otherwise why should we deal with this question at all? Why should the Legislature go out of its way?

There is another matter also for consideration. When the general settlement was effected, the Poonjar Chief was left out of consideration. At that time Government did not think it necessary to take his Edavagai into consideration. I my read here a passage from the Land Revenue Manual. I refer to Land Revenue Manual, Volume II, Pages 1100 and 1101:

"The settlement of the Poonjar village, that is, of the properties in that village on which tax is due to or leviable by the Government, was at first arranged to be conducted by the Settlement Department. It was not, however, carried out by that Department, but was transferred to the normal Revenue Department, pending the adjudication of certain disputes between the Sirkar and the Poonjar Chief. Those disputes were subsequently decided by a Special Officer appointed for the purpose by the Government under the Boundary Regulation but the Poonjar Chief and other parties adversely affected by the decision having appealed to the Civil Court against the Special Officer's decision, the settlement

of the Sirkar lands within the village has, for the time being, been held in abeyance under the orders of the Court The tax-paying lands in the other two partially free-hold villages—belonging to the Edappalli Chief—have been settled along with the settlement of those villages".

Now, Sir, we find in respect of Poonjar, Government did not contemplate at all the settlement of Edavagai lands, that is, lands within the Edavagai area or lands belonging to the Chief. They wanted to settle only properties on which tax is leviable by the Government ; and that was postponed because of disputes between the Chief and the Government. We are now dealing with lands of the former category namely Edavagai lands on which tax is not leviable by the Government. The next paragraph says :—

PRESIDENT : Please be brief.

MR. A. THANU PILLAI (*Trivandum-Rural*) : I think that I am not unnecessarily wasting the time of the House and I am entitled to have my say. If you think, Sir, that I am wasting the time of the House, I shall sit down.

PRESIDENT : You go on.

MR. A. THANU PILLAI (*Trivandrum-Rural*) :

"As regards the completely free-hold villages, those owned by the Vanjipuzha Chief were left to be settled by the Chief himself, because the relations between himself and his tenants appeared to be governed by the Jenmi and Kudiyan Regulation, of 1071, or by the ordinary law of land-lord and tenant. The villages belonging to the Sripadom Palace, the Kilimanur Koil Thampuran and the Edappalli Chief, stood on different footing. The *pattom* (rent) due on the Sripadom lands came within the meaning of public revenue as defined by the Revenue Recovery Regulation (I of 1068). The rents due to the Kilimanur and Edappalli Chiefs were also treated as public revenue by Regulation IV of 1068. This Regulation also expressly laid down that the rents recoverable in the said estates should be at the rates assessed by the Government from time to time. The settlement and survey of these villages was accordingly undertaken by the Government at the request and on behalf of the proprietors concerned As regards the villages of the Sripadom Palace and the Kilimanur Koil Thampuran, the cost, both of survey and settlement, was borne entirely by the Government, while, in the case of the villages of the Edappalli Chief, one-half of the cost of settlement and three-fourths of that of survey have been borne by the Government. The settlement of these villages has been carried out more or less on the principles applicable to the Sirkar lands. The tenures in the Sripadom and Kilimanur Edavagai villages are identical with those of the Sirkar villages, while those in the Edappalli Edavagai villages correspond in their characteristics with like groups in the Sirkar villages."

So, in the case of Edappalli and Kilimanur, the lands were settled and in the case of other Edavagais Government did not think it necessary to do so. That was the position they then took. Now we are going far away from it We are going to settle Poonjar and Vanjipuzha, and help the Chiefs by making the provisions of the Rent Recovery Regulation applicable to them. Should not the lands of the tenants there also be brought into line with the lands of the tenants under the Sirkar and other Edavagais in respect of the rights of such tenants ?

[Mr. A. Thanu Pillai]

Another point that was raised yesterday was that the idea of *taravila* came into existence only in the year 1068, when Government first began to levy *taravila* on Puduval lands. It was said that before that there was no such idea present in the mind of Government or anybody else. That contention again ignores a fundamental fact. I am not here pleading for the non-levy of *taravila* in respect of Puduval lands. In respect of Puduval lands, *taravila* may be levied. I am now pleading for the non-levy of *taravila* on holdings in the enjoyment of tenants. In 1040 and 1068, permanent rights of occupancy were conferred on persons who were holders of lands. We are to make a clear distinction between people who want to take the registry of Puduval lands belonging to the Chiefs and people who are already land-holders. In this connection, the question is whether the idea of the payment of price for land was present in 1040 and 1068. Mr. Ulloor S. Paramesvara Aiyar admitted that Government were in the habit of giving lands on *Otti*. That shows that the idea of taking a price for lands was in force. Some lands were given on *Otti* and other lands on *Venpattom* tenure. That distinction was there. There is no meaning in saying that the idea of *taravila* a price for the lands came in only after 1068. It is clear that the idea was prevalent even before that date.

The case of holdings is quite different from that of Puduvals. Another argument that I have to advance is this. If a price is to be asked for from the tenants, and if many of them are not able to pay it and take registries, then the result would be something quite unsatisfactory and undesirable.

I would urge upon the honourable members one more point. We are legislating at a time when there is great scarcity of money. The result of compelling people, who are already in possession of the lands, to pay a price for them at the present time so that they may get permanent rights would be turning them out of their lands.

Then again, Sir, giving permanent occupancy rights to a tenant is not a new idea. That exists all the world over. In the Madras Presidency, a tenant's right to permanency of occupancy is conceded in respect of *Oodukur* lands. In Malabar, *venpattom* tenants were given that right in 1930. Our Government also fell into line with other parts of the enlightened world and granted this concession so early as 1040. Now a certain portion of the territory of Travancore was left unsettled because they belonged to the Chiefs. These Chiefs now come forward for help from Government. We shall help them, provided the necessary and proper conditions are satisfied. Thus I support the amendment of Mr. Govinda Menon.

MR P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I oppose the amendment proposed by Mr. Govinda Menon. The very same question was the subject of very long arguments yesterday and the day before in this House in connection with this Bill. Yesterday I advanced certain arguments to show that a provision for the levy of *taravila* especially

at the rate of Rs. 15 at the most is quite tenable. Mr. Govinda Menon did not controvert my arguments. But Mr. Thanu Pillai says that the arguments are vitiated by a misconception. Evidently there is some misconception, but whether it is mine or Mr. Thanu Pillai's is what remains to be seen. Mr. Thanu Pillai's argument yesterday and the day before centred round two enactments, namely the Proclamation of 1040 and the Regulation of 1068 which had conferred permanency of occupancy upon the tenants of the Sirkar and the tenants of the two Edavagais, namely, Edappalli and Kilimanur. In the years 1040 and 1068 after the conferment of permanency of occupancy upon the tenants. the Sirkar proceeded to settle their lands. I said, in such circumstances, there was no justification for the Sirkar or any obligation on the part of the tenant to get or pay anything in the shape of *taravila* which was an idea that came into existence in the year 1069. *Taravila* had a very humble beginning which in course of time received developments for purposes of revenue *pari passu* with the rise in the value of land. Mr. Thanu Pillai says that I am in a misconception. According to both of us, this Bill is intended for two purposes, that is, for the settlement of the lands of two of the Edavagais and also to confer permanency of occupancy upon the tenants of those Edavagais. Even without a settlement, according to Mr. Thanu Pillai, this Bill proposes or should propose to confer permanency of occupancy. If permanency of occupancy is so designed in the Bill, well and good. But permanency is provided as a result of settlement, so much so, the settlement must precede and permanency of occupancy as a result of the settlement would follow. That is what is exactly provided for in the Bill. In Clause 7 of the Bill, it is stated thus:

> "Land-holders whose holdings have been dealt with but not treated and recorded as *thanathu* land at the settlement carried out in pursuance of this Regulation shall from and after the date of the settlement being declared complete by Our Government have subject to any such conditions as may have been lawfully imposed the same rights of permanent occupancy in respect of such holdings alienable and heritable as holders of land under Our Government."

Tenants who have got properties settled in their favour will have permanency of occupancy. Mr. Thanu Pillai proposes an amendment to that, but he has no quarrel with the sequence of the provision contained in Clause 7. He says "when the settlement of any particular holding is declared complete by Our Government, the tenant there will have the same right as a tenant who is in possession of Government land." On this scheme we have to settle the land first and then attach a particular significance to the settlement by way of permanency of occupancy in favour of the tenant. Such being the case, permanency of occupancy is made dependent upon the settlement. Then the question is this. Is there anything repugnant in demanding a *taravila* for the lands? These *Venpattom* lands are now lands belonging to the Chiefs concerned but subject to certain terminable terms. In such cases, what I submit is, there is no statutory provision as in the Proclamation of 1040 or the Regulation of 1068 to exempt the tenants from payment of

[Mr. P. K. Narayana Pillai]

compensation for what they get in the shape of permanency of occupancy. So far as I am concerned, in the light of the provisions of this Bill, I am under no misconception whatsoever; and the charge of misconception has to be recanted by Mr. Thanu Pillai himself.

Some members were contending why any *taravila* or *tadivila* should not be realised. I will point out these circumstances. If it is to register land without *taravila* and *tadivila*, as a salutary step in the interests of the population, an example should be first set by the Government themselves. The attempt in this Bill is to assimilate the lands of the Edavagai Chiefs as far as possible to the Government lands. But in the case of registry of *puduval* lands, but which are not held under specific tenures, Government are realising *taravila* and *tadivila*. Not only that, they are insisting upon the tenants to meet the expenses of survey and demarcation of the holding applied for by the holders to be settled. The rates of *taravila* realised round about the lands of the Poonjar Estate are about Rs. 25 per acre going up to Rs. 100. Such being the case, the maximum rate fixed here, namely, Rs. 15, is far below the current rate. The Chiefs have been asked to bear the cost of settlement. They have to forego *tadivila* under the provisions of this Bill. Now, then, Sir, to say that the Chiefs shall not have—

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Is *puduval* a holding?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : That will depend upon the meaning you attach to holding. So if the lands are to be settled without the payments of *taravila* and *tadivila*, it would be drawing a very invidious distinction between the occupants of lands in the Edavagais and elsewhere. Further, the Chief has now to find funds for the operations of the Settlement Department of the Travancore Government for the purpose of divesting himself of proprietory rights. As has been explained, the Chiefs should obtain electoral rights and franchise for the tenants. Some of the Chiefs are in an embarrassed condition. They have to borrow money and make the tenants happy, whatever be their own unhappiness. Mr. Thanu Pillai is of opinion that not a single cash is to be remitted to the Chief in the cost of settlement Why should they find funds for this? Why should they spend all this pretty penny so long as they can evict their tenants? If the tenants do not find it impossible to get the holdings registered, to the tenants is surrendered one-fourth of the value of improvements due to the Chief. These are the advantages that the tenants derive under the proposed system and to say that the tenants have no advantage to be derived under the proposed measure is quite incorrect. They get substantial rights. The value of holdings will go up, especially if the neighbouring properties continue subject to the existing rate of *taravila*. In view of these circumstances, there is a good case for a maximum rate of Rs. 15 payable in ten yearly instalments.

MR. K. R. ELENKATH (*Kalkulam I*): Is the member supporting the amendment of fixing the *taravila* to a maximum of Rs. 50?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I am not. That the settlement should be conducted without the levy of *taravila* and at the same time subject to permanency of occupancy is a proposition which I cannot accept.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether Government levy any *taravila* in respect of lands over which the holders have a title or is it done only in respect of lands over which the holders have no title that Government levy *taravila*?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): The title may be a terminable title or a non-terminable one. In the case of *Nedupattom* lands, the holders have a particular sort of title. In the case of *Kuthagapattom* lands also, holders have a definite title.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is there occupancy rights in the case of *Kuthagapattom* holders?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): So long as the terms are complied with, they have got such occupancy rights, if any, as may be stipulated. Here we are dealing with *Venpattom* rights. *Venpattom* tenants do not stand on a different footing from *Nadupattom* tenants.

The House adjourned for lunch at 1 P. M. and met again at 1·45 P. M. with be President in the chair.

PRESIDENT: The House will now resume the discussion on Mr. Govinda Menon's amendment to Clause 5 sub-clause (2) (i), of the Bill. Before any gentleman rises from his seat, I wish to make a statement, I think an unpleasant announcement, to the House that I have decided that we shall not rise at half past four, as usual, but sit until the Bill is completed. We shall have to sit as late as we can, or it will be rather a calamity to allow the Bill to get through very nearly completed and adjourn for months and months until the next session takes place. I do not think that the House itself will relish that.

MR. S. J. NAIR (*Nedumangad*): Sir, I was about to put a question to the member who spoke last before lunch. Referring to the speech of Mr. P. K. Narayana Pillai, I wish to put this question whether there is any substantial difference between the rights of the Sirkar *pattom* tenants, as they stood before the Pattom Proclamation of 1040 and the *Venpattom* tenants of Poonjar and Vanjipuzha as they now stand?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): What is exactly meant by substantial difference, according to my friend Mr. Nair, is not clear. I may say, however, that *Venpattom* tenants of Poonjar and Vanjipuzha have their rights determined according to the deeds of lease. They are dependent upon contracts. Old *Venpattom* tenure under Sirkar depended on *pathivoos* and customs.

PRESIDENT : Order, order. I think I have to draw the attention of the House to the Parliamentary custom that, whenever any member enters the House or leaves the House, he has to bow to the Chair.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : As for the *Venpattom* tenants of Sirkar lands before the Proclamation, they were more or less customary and not necessarily controlled by any contract at all. That is the difference that, I think, should be observed with respect to these two.

MR. S. J. NAIR (*Nedumangad*) : Sir, I support the opposition of Mr. P.K. Narayana Pillai to the amendment and in doing so, I submit that the amendment, if permitted to be carried, would materially alter the character of the Bill itself, and affect the interest of very many tenants. The Bill contemplates to suggest that all holdings, which are publicly settled, ought to be settled without *taravila* and *tadivila* or any alteration of the rent payable to the Chief. There is some erroneous notion on the part of some members of the House that this Bill if amended will affect the tenants of the whole of the Edavagai. If the Land Assessment Regulation and the Puduval rules of the Government are put into our hands, and at the same time this Bill is also put along with it, I submit, Sir, that I would prefer the contents of this Bill to the Land Assessment Regulation and the Rules thereunder, for the reason that this Bill is so favourable to the tenants of Poonjar and Vanjipuzha Edavagais, where *taravila* proposed to be fixed is too low, too meagre, too modest. I submit, Sir, that under the Puduval rules, the *taravila* ranges from Rs. 10 to Rs. 150; but here, under this Bill, it clearly provides a maximum amount of Rs. 15 only for one acre of dry land and Rs. 50 for one acre of wet land. So, under the circumstances, I submit, Sir, that the motion ought to be objected to and I oppose the motion.

PRESIDENT : I call upon the Law Member to speak.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : Sir,——

PRESIDENT : After I have called the Law Member to speak, I ought not to allow any member to speak ; but anyhow I shall allow you to speak.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : The matter before the House involves a substantial principle. The question now before the House is whether in respect of all *Venpattom* holdings under the Edavagais *taravila* should be levied in order to entitle the holder thereof to permanent rights of occupancy. Now, Sir, in this Section, requiring such payments of *taravila* two exemptions are provided, one is that, in the case of holdings with a term of more than 12 years to run no *taravila* is leviable and the other is where property is held under a usufructuary mortgage. Now, I ask what is the principle on which these exemptions are based ? Both the tenant for a term of years and the usufructuary mortgagee are liable to redemption, the first, after the expiry of the period for which the holding is granted, and the second, on payment of the mortgage money and

the improvements. There must be some reason underlying these exemptions, and I presume, Sir, that the reason is that in one case the tenant has been holding the property though as *Venpattam* for a certain length of time and in the other the holder has a monetary interest in the property. Now, both these are combined in the case of *Venpattom* tenants. Many of them have been in possession of the land for generations, nay centuries, have got their *tarwad* house on these lands, and look upon the property for all practical purposes as their own.

Again, they have improved the lands, by planting trees and constructing buildings and have thus acquired a substantial monetary interest in the property without discharging which the Edavagai cannot recover the property. Therefore, the reasons which apply to holders for a term of years and usufructuary mortgagees for exemption from payment of *taravila* must equally apply to *Venpattom* tenants who have been holding the land for a long time and have made substantial improvements. Now again, Sir, it is said that these tenants are going to get permanent occupancy right and that they must compensate the *jenmi* for it. Why should you not pay for the inestimable benefit of permanent occupancy right which you are going to get? The answer is that, the land-holder with a term as well as the mortgagee who has got both the length of time as well as the monetary interest in his favour being exempted from payment of *taravila,* the same reason must hold good in the case of *Venpattom* tenants who have length of occupation and monetary interest in their favour. Again, Sir, this so-called permanent occupancy right is only a theoretical right in the case of such holders for according to long-standing custom, practice and convention the *Venpattom* tenants are not evicted in actual practice.

Therefore, the *Venpattom* tenants who are compelled to pay *taravila* do not get any right practically in return. Then, again, Sir, this grant of permanent occupancy right is merely a cloak for giving the Edavagais the right of collecting their revenues under the Revenue Recovery Act. The real object of this legislation is to enable the Edavagais effectively to collect their dues which they have not been able to recover under the present conditions. They are said to be not able to recover even one-half of their dues for years past. Therefore, they want the Government to do for them what they are unable to do for themselves under the present law. It is the interest of the Edavagais and not of the tenants that is intended to be safeguarded by this Regulation. Now it has been pointed out forcibly that, when the *Venpattom* tenants were given permanent occupancy rights by Government in 1042, no *taravila* was levied. Mr. P. K. Narayana Pillai has mainly sought to answer this argument with the statement that the idea of *taravila* dawned on the Government only in the year 1067-68, but the tenancy was made permanent several years before that, and therefore no *taravila* was levied. This, to my mind, is no answer to the point. The fact remains that the Government did not think of imposing a *taravila* on the *Venpattom* tenants of the Government when they sought to give

[Mr. Changanachery K. Paramesvaran Pillai.]

permanent rights to their tenants. Again, the Jenmi and Kudiyan Regulation invested the *kanapattom* holders with permanent rights of occupancy without the payment of any *taravila*. I do not want to take up the time of the House by mentioning more instances. I therefore submit, Sir, that, if this unreserved right of levying *taravila* and *tadivila* be enforced irrespective of the length of the occupation and the substantial monetary interest the tenants possess, it will be unfair and unjust.

Of course, it may be that the Edavagais have recently alienated or given on *Venpattom* several acres of land to persons from whom they would like to recover some kind of *taravila* in order to find some money to meet their settlement expenses. Well, in that case, some limitation should be made upon the tenure of the holding. If a man is holding it for, say, 5 or 10 years only, then of course some *taravila* may be provided for. There may be some justification for that. Of course, such cases should not be treated on the same footing as *Venpattom* holdings which were in the occupation of tenants for generations where they have their family home-stead in which not only the present holders but their fathers, grand-fathers and great-grand-fathers were born and died. I submit, Sir, that, without some such exception, to give unlimited support to this provision would be unjust and unfair to the tenants who have been in enjoyment of the property for very many years, who have been treating the property as their absolute freehold. I therefore support the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I rise to oppose this amendment. At the outset, I will remind the House of one fundamental fact which should always be borne in mind, namely, that this Bill seeks to regulate the relations between two private individuals, the Chief on the one hand and the tenants on the other. Right through, wherever we have to consider the merits of any provision in this Bill, it should be borne in mind that there are two parties, the Chief and the tenant, and that each has got what may be called property rights and contractual rights. It will be conceded that, in legislating on a matter of this kind, we should as far as possible proceed respecting the existing property rights and contractual rights and, when any such right has to be over-ridden, it should be done only on some paramount reason; and whenever possible, there must be a *quid pro quo* for all rights over-ridden. This must be remembered in considering the provisions of this Bill, and I may say that the Committee, when they revised this Bill, had always this in their mind. Now, Sir, whatever we may say in regard to Government lands, or Kilimanur or Edappalli lands or *jenmom* lands, it cannot be forgotten for a moment that at the present day the Edavagai Chief in the unsettled Edavagais has got a right to recover the land held by the tenant, because he has no fixity of tenure. If he goes to a court of law, he can certainly recover the holding. These are days when everybody is conscious of his legal

rights. In ancient days perhaps everyone may not have been so conscious or may not have been very particular to press all rights. But now everybody claims and will claim all his right, and we must recognise the fact that it is open to the Chief to go to the civil court today and recover every one of the lands held by the tenants. The Government too had this right to recover their lands. If they did not exercise this right in regard to the Sirkar lands, it stands on a different footing, had other considerations behind it. But the Chief is a private individual having undoubtedly a right to recover his lands even through a civil court. Now, Sir, the Chief is prepared to surrender this right of recovery in favour of the tenant. It may be that the Legislature is forcing the Chief to do so: or it may be that he is voluntarily prepared to surrender. However we may view it, the fact is there that this undoubted property right of the Chief is going to be terminated once and for ever by this legislation. If that is the real fact, is it not reasonable that we should offer some compensation that there should be some *quid pro quo?* Why should we go into the analogy of ancient thing? The Chief *has got* a proprietory right and it is going to be terminated. I am asking, if that is to be terminated, should there not be a *quid pro quo?* It is only reasonable that there should be. He must, if possible, be given something in return for the surrender of his right. Exceptions may perhaps be conceived, but the ordinary rule is that he must be given something for what he foregoes. It was stated that Government, when they confirmed the possession of the *pattom* lands, did not levy any *taravila*. Reasons for that were suggested by Mr. Narayana Pillai and Mr. Paramesvara Aiyar. Whether those reasons will be accepted by the supporters of the amendment or not, I maintain that what was done by Government cannot supply any reasonable analogy or afford any reasonable argument when something has to be done or decided as between two private individuals. Government may, in the interests of the people, surrender many things because the people's interests are the Government's and the Government exist for the people. Government can do, and will do, many things for the benefit of the people but we cannot expect reasonably the same to be done as between private individuals. Sir, with regard to the Pattom Proclamation relied on in support of the amendment, I wish to invite the attention of the House to the terms of it. The wording of it is very relevant and instructive for the present purposes. It reads :

> "Whereas We earnestly desire that the possession of landed as well as other property in Our territory should be as secure as possible and whereas We are of opinion that, with this view, Sirkar Pattom lands can be placed on a much better footing than at present so as to enhance their value We are pleased to notify to Our Ryots...."

Thus we can see that it was a case of surrender. The Sirkar surrendered their right for the benefit of the people. Is it seriously contended that these private individuals, the Chiefs, should surrender their

[Mr. Kayalam Paramesvaran Pillai]

rights for the benefit of the tenants ? It seems to me that some paramount reason must be pointed out as to why the Chief should be compelled so to surrender his rights. Nothing has been urged till now except the citing of the analogy of Government lands and the analogy of the Kilimanur and Edappalli lands, which have really no application to the present case.

In regard to the point raised just now by Mr. Changanachery Paramesvaran Pillai relative to the *jenmom* lands, in that case, no doubt, private individuals are concerned namely, the *jenmies* and the Kudiyans. But there is a very sound reason for a different treatment in the case of *jenmom* lands. The real basis for confirming the right of the *kudiyans* was that it was really an accepted custom that *jenmom* lands are not as a matter of fact recovered by the *jenmies*. It was on the basis really of an accepted custom that it was declared that so long as the *kudiyan* pays the rent, he shall not be liable to ouster—Further ... ..

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : Is there not such a custom in the case of the *Venpattom* tenants ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : No, not at all. Even in the case of *jenmom* lands, permanency of tenure was recognised only in the case of *kanom* tenants and not in the case of *Venpattadars*.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : What is the basis of the statement that in the case of *kanom* tenants there was a custom ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The Royal Edicts of 1002 and 1005, the Royal Proclamation of 1042 and the other literature on the subject. What was then assured was that the custom was *not* to recover the lands so long as the *kudiyans* paid their dues correctly. On that basis the Statutes said that the *kanom* property shall not be redeemable.

MR. A. THANU PILLAI (*Trivandrum—Rural*) May I know from the member whether the *jenmi* has not got the right to evict the tenants under certain circumstances ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes, under certain limited circumstances. I am only saying that the Proclamation of 1042 &c. proceeded on the basis that the *kudiyan* had by custom already a right to retain the *kanom* land permanently so long as he paid the *jenmi* dues. That apart, the *kanom* tenant, unlike the *verumpattakaran*, had advanced a substantial sum, the *kanom* amount, for obtaining the *kanapattom* . The *kanom* tenant is a mortgagee in some sense : and let me point out that in this Bill too, the proposal is that the mortgagees should be given permanency of tenure without the levy of any *taravila*, the reason for which is that he had

already advanced a substantial sum now, in regard to the ordinary tenants. I am submitting to the House the accepted fact that the Chief *has* today got a right to redeem the land and I contend that such a property right should be terminated only on paying compensation for it. There is also the fact that, probably in 1040, that is about 60 years ago, land was not perhaps very valuable ; and that may perhaps be one reason why no *taravila* was insisted on in regard to Kilimanur and Edappalli lands. I do not know what would have happened if that legislation came in today. It was suggested in the course of the debate that we are giving the Chief a very valuable right in that we are allowing the revenue recovery processes to be applied for the recovery of the Chief's dues. It is surprising that this is treated to be a substantial right. The Chief has already got an undoubted right to recover the rent; and the tenant has already got an undoubted liability to pay the rent, and the right can be enforced through the civil courts. The procedure that we are now proposing for the enforcement of this right is only to enable him to recover his dues through the revenue court instead of through the civil court. Is that a conferment of a substantial right? Is this a *quid pro quo* for the right that the Chief is made to surrender?

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether he will object to extending this privilege to other land-holders?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That is a hypothetical question.

PRESIDENT : We are now discussing a particular matter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It must also be remembered in this connection that this settlement of the Edavagai is not to be effected gratis. If the Chief makes an application for the settlement, he must pay the full cost of the settlement. If he is to be treated as anybody other than a private individual, why do you leave the cost of the settlement to be borne by the Chief when he makes an application for the settlement ? It will be seen from Clause 3 that, when a Chief makes an application for settlement, he can do it only on undertaking to bear the full cost of the settlement. There he is treated as a private individual. If he were treated as a sort of public or a *quasi*-public institution, then the public should have paid the cost of the settlement. But the provision says that, if he makes an application for the settlement, *he* must meet the expenses. Are we not therefore emphasising the position that he is but a private individual and that it is in respect of private rights that we are legislating ? If that is so, why should we deprive him of his proprietory right without giving him something in return ? Then again, what is it that he will get in return ? He is not, according to the Bill, getting any real price for his lands. He does not at all get a competition price or anything near it. He gets a settled price not exceeding Rs. 15 per acre. Those who know something of Poonjar and Vanjipuzha know that the value of

[Mr. Kayalam Paramesvaran Pillai.]

land is Rs. 100 or Rs. 150 per acre even as between tenants when they are selling and purchasing the tenant's right which is only a terminable right. Now we are fixing it at only Rs. 15 which is but the maximum. Government can by rules fix it at Re. 1 or Rs. 2 or Rs. 3 or any amount within Rs. 15. Certainly this is not a competition price. That is only some *quid pro quo*.

MR. A. THANU PILLAI (*Trivandrum - Rural*) : May I know from the member the amount that the Sirkar is getting on lands in that locality?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I heard it said here by one of the members that it is not less than Rs. 25 in the case of the registry of Sirkar *pudural* lands. My point is that the Chief is not really selling his land. If he is selling his land he must get the highest price obtainable. The man who pays the highest price must be given the land. But the Bill proposes that he shall not *sell* and that he shall not disturb the existing occupant. He is to be given only a nominal *taravila*, the maximum of which can only be Rs. 15. There is thus no question of sale and purchase. We are only proposing a *quid pro quo.*

Another limitation that we are placing upon the Chief's right is this. The Bill proposes that the rent that he can recover shall be strictly on the basis of the rent recoverable by Government in respect of Government lands. The Government are not recovering competitive rent, they are only recovering a settled rent. We are imposing on the Chief this limitation, *viz.*, that he shall recover only a settled rate and not a competitive rent. Having regard to this also, please consider whether it is right that we should deprive him entirely of some *quid pro quo* for the sacrifices that he is making.

Again, I must say that, so far as I have been able to understand the situation, there have not been any real complaints from the tenants in regard to this *taravila*. It will be seen from the report of the Committee that the Committee even heard counsel on behalf of the tenants and it did not appear that they were really concerned about the paying of some *taravila*. What they were particular about was that some concession should be given them in the manner of payment and that they should be allowed to pay in instalments.

MR. A. THANU PILLAI (*Trivandrum —Rural*) May I know from the member when the Select Committee's Bill in Malayalam was published?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That information is available to the member and I need not answer it.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : Does not Mr. Govinda Menon represent the tenants?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I was submitting, Sir, that the complaint from the tenants

was but that they wanted some reasonable term for the payment of the fifteen rupees and it is accordingly provided in the Bill that it may be paid in not less than 10 equal annual instalments Thus, even though Rs 15 is fixed as the *taravila*, the tenant will never have to pay more than Rs. $1\frac{1}{2}$ per acre every year in any case. Is that too much of a price for getting a permanent right over the property with the assurance of a reasonable rent?

This, I maintain, is a sound reason for the Legislature providing that some *taravila* may be given to the Chief as a *quid pro quo* for the sacrifices that he is making.

Next, in regard to the implications of the amendment, as it is framed. The amendment, if carried, will apply even to special contract transfers—I mean transfers not being the ordinary demises. For instance, in these Edavagais, some properties have been rented out on long leases for 99 or 100 years in favour of European planters and others. The amendment, if carried, will apply even to such cases also and will compel the registry, as permanent holdings, of such lands too without the levy of *taravila* and *tadivila*. According to the Bill, such long leases are not to be interfered with. There are also favourable tenures, like, for example, *tiruvullam* or *adima*, in regard to which the tenants already have permanent occupancy rights. Sir, the scheme of this Bill is that such permanent property rights must be respected and left intact. That is one of the chief objects kept in view throughout in the framing of this measure. In some cases, for a mere nominal rent, the Chief has given demises with permanent occupancy rights and fixity of rent. We want to respect such cases. Such tenants should not be called upon to pay anything more. If this amendment is carried, they too will have to pay the settlement rent, against the contract.

Just one word more. Reference was made to the fact that we do not propose to levy any *taravila* on mortgaged properties. As said before, that is because such properties had already paid some substantial sum to the Chiefs in the shape of the mortgage money and, in some cases, it may be that the mortgage amount is even more than the *taravila* now proposed to be levied. So, as a rough and ready rule, the Committee decided that, in such cases, no *taravila* need be paid, and that is the provision in the Bill as it stands. Sir, I oppose the amendment.

PRESIDENT: The amendment, is that:

"for all holdings being settled as registered holdings without the levy of any *taravila* or *tadivila*,"

be substituted for sub clause (2) (i).

The amendment was put to vote and lost.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

A poll was taken and the House divided as follows:

AYES—11.

1 Mr. P. Chidambaram Pillai
2 ,, A. S. Damodaran Asan
3 ,, N. Govinda Menon
4 ,, Puthupalli S. Krishna Pillai
5 ,, K. Kunjukrishna Pillai
6 ,, S. Nilakanta Pillai
7 Mr. Kainikkara M. Padmanabha Pillai
8 ,, Changanachery K. Paramesvaran Pillai
9 ,, R. Raman Pillai
10 ,, A. Thanu Pillai
11 ,, N. E. Varughese

NOES—45.

1 Mr. N. Abdur Rahiman Sahib
2 ,, K. C. Abraham
3 ,, T. K. Alexander
4 ,, V. T. Chacko
5 ,, A. Easwara Pillai (*Kottarakara*)
6 ,, E. H. Francis
7 ,, Antony George
8 ,, K. George
9 ,, M. Mahomed Haneef
10 ,, S. J. Nair
11 ,, M. K. Janardana Kamath
12 ,, T. S. Jayanthan Nambootiri
13 ,, N. John Joseph
14 ,, T. C. Joseph
15 ,, K. C. Karunakaran
16 ,, T. T. Kesavan Sastri
17 ,, K. M. Krishnan
18 ,, K. P. Krishna Menon
19 ,, E. V. Krishna Pillai
20 ,, T. Krishna Pillai
21 Rao Sahib Dr. N. Kunjan Pillai
22 Mr. C. V. Kunjuraman
23 ,, E. K. Kunjuraman
24 Mr. K. M. Kuriakose
25 ,, C. O. Madhavan
26 ,, K. Madhavan
27 ,, M. K. Madhavan Pillai
28 ,, K. Mahomed
29 ,, P. C. Narayanan Bhattatiripad
30 ,, K. A. Narayana Pillai
31 ,, P. K. Narayana Pillai
32 ,, G. Nilakantan
33 ,, R. Nilakanta Pillai
34 ,, N. K. Padmanabha Pillai
35 Rao Sahib S. Paramesvara Aiyar
36 Mr. Kayalam Paramesvaran Pillai
37 ,, V. Ramakrishna Panicker
38 Rao Bahadur N. Ramanuja Aiyangar
39 Mr. P. G. Rama Varma Raja
40 ,, K. Sankaran
41 ,, R. M. Statham
42 ,, T. C. Thommen
43 ,, G. B. E. Truscott
44 ,, T. P. Velayudhan Pillai
45 ,, T. K. Velu Pillai

NEUTRALS—12.

1 Mr. S. Chattanatha Karayalar
2 ,, A. Easwara Pillai (*Kalkulam II*)
3 ,, K. R. Elenkath
4 ,, Pottayil S. Krishna Panicker
5 ,, N. K. Krishna Pillai
6 ,, M. N. Nair
7 Mr. Pacode A. Narayana Pillai
8 ,, K. Padmanabhan
9 ,, Edavanatt S. Padmanabha Menon
10 ,, M. Sivatanu Pillai
11 ,, S. Thiraviam Nadar
12 ,, V. K. Velappan Nair

The amendment was declared lost.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I beg to move that sub-clause (2) (ii) be deleted.

This sub-clause provides that permanent occupancy rights need not be conferred on holders of land for a term of 12 years and more and that such lands, subject to contracts of such long leases, may be recorded as *thanathu* lands of the Chiefs and left to be dealt with by the parties in accordance with the terms of their contracts or in such other manner as they may agree. Sub-clause (iv) (a) provides—

> "for the levy, in not less than 10 equal yearly instalments of a *taravila* not exceeding Rs. fifteen per acre of dry land and not exceeding Rs. fifty per acre of wet land for the settlement as registered holdings, of holdings without any term or with a term of less than 12 years to run, at the commencement of this Regulation.'

Sir, the effect of these two provisions is this. In the case of holdings with terms of less than 12 years, they will be settled, as registered holdings on payment of *taravila*. But in the case of holdings with terms of more than 12 years, they will not be so settled. Sir, what one would naturally expect is just the other way. It is the holders of leases for longer periods that are entitled to permanent occupancy rights more than tenants with short term leases. Under the provision as settled by the Select Committee, it is the lands leased out for 12 years and more that are to be regarded as *thanathu* lands left to the Chiefs to be dealt with as they like. It was no doubt suggested by the Law Member, either in connection with the last amendment or on some other occasion, that this sub-clause (2) (ii) was intended to apply to lands held on special contracts for long terms. There is no such statement in this clause as it is. It merely says that, whenever land is held for 12 years or more, permanent rights of occupancy will not be conferred. It seems highly objectionable. If there are special contracts under which lands are held for 100 or 200 years, such cases may be separately provided for. That has not been done here. All that the provision says is that, whenever the term is longer than 12 years, no settlement will be effected, permanent occupancy rights will not be conferred on the tenants and the Chiefs may deal with the tenants according to contracts or otherwise. That is very unreasonable.

I have also given notice of an amendment to sub-clause (iv) (a), for registry without payment of *taravila*. While on the sub-clause now under consideration, I shall be satisfied with its deletion since I propose to deal with the subject-matter of this clause along with the subject-matter of sub-clause (iv) (a).

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to oppose the amendment. I may explain the general scheme of this settlement in order to facilitate the further discussion. Before evolving the general scheme, the Select Committee examined the whole question. It was found that, ordinarily, the bulk of the demises were for 12 years with a provision for renewal for a further period of 12 years. In some cases the demises were for 25 years, 50 years or even 99 years.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know whether the number of cases in each of these categories was available to the Committee

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The member was in the committee and is in possession of the information and so I do not propose to answer the question.

It was found that in some cases lands had been leased for even 99 years, for instance, to European Planters and Rubber Companies. The Committee came to the conclusion that such contracts were of a special contract nature and not being of the ordinary type must be respected and left intact. Settlement of such lands and their rent may work hard either on the tenants or on the Chiefs. That was why we decided that such cases might be left alone and such lands might be treated as *thanathu* lands, something like 'private land' under the Madras Estates Land Act.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : May I know from the Law Member whether the expression 'not *less* than 12 years' in the last line of sub-clause (iv) (a) should not be 'not *more* than 12 years' ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes, that is a clerical mistake.

The motion that sub-clause (2) (ii) be deleted was then put to the vote of the House and lost.

PRESIDENT : The next amendment is that of Mr. Thanu Pillai for the substitution of sub-clause (2) (iii) as shown in the agenda paper.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : My amendment is that the following be substituted for sub-clause (2) (iii) :

"for lands held on usufructuary mortgages being settled as registered holdings without the levy of any *taravila* or *tadivila* or the repayment the of mortgage amount but subject to assessment as follows :—

(*a*) Lands on which the demand at the time of the settlement is found to be less than half the *pattom* assessment as contemplated in clause 5 (2) (viii), shall have the demand fixed at one-half of that assessment.

(*b*) Lands on which the demand at the time of the settlement is found to be more than half the *pattom* assessment shall have such demand confirmed and continued as the future demand.

(*c*) Lands on which the demand at the time of the settlement is found to be equal to or to exceed the *pattom* shall have the *pattom* fixed as the demand."

Sir, there is nothing original in what I have suggested. I take this provision from the Settlement Proclamation. It was according to this that *Pandaravaka Otti* lands, that is, lands held by tenants on *Otti* or mortgage, from Sirkar, were settled. The Bill also says that as far as possible the rules that were applied to the settlement of Sirkar lands should be made applicable to this settlement also. I am at a loss to see why there should be unnecessary or unjustifiable variations from that.

If Sirkar *Otti* lands were settled on these terms there is no reason why these lands should not be settled on the same terms. This relates only to *Otti* lands. Under the provision as put in by the Select Committee also, no *taravila* is to be levied but the assessment is to be the full amount of *pattom* as contemplated in sub-clause (viii). In the settlement of Sirkar lands it was different. The principle that I contend here is the same as that applied to the lands in Kilimanur and Edappalli. Now it was contended by the Law Member that here is a transaction between two private individuals and to take away their rights would be unfair, that some compensation should be paid and so forth. I submit for the very serious consideration of this House whether it would not be fair to see that these tenants who in respect of the methods of recovery of dues are to be dealt with like tenants under Sirkar are not to be given the concessions that Sirkar tenants were given. It is not a pure case of one man dealing with another man; in that case, the Legislature would not have interfered in the way it is doing and somebody raised the question suggesting that if today one individual is going to acquire 50 square miles of territory whether the Legislature would enact a similar statute to help him. What is being done for the Chief is a great concession, which concession was not found necessary at the time of the settlement of other Edavagais. We ought to deal with the tenants in these Edavagais in the way in which tenants in other Edavagais were dealt with. So, Sir, I move this amendment.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I oppose the amendment. It must be noted that there is no analogy between the mortgage granted by Government in the ancient days, the lands held on what is called Pandaravaka Otti, and the mortgage given by the Chiefs of Edavagais. The reason is twofold. One is that Government never intended to redeem their mortgages whereas in the case of Edavagai Chiefs they generally redeem and intended to redeem such mortgages. Secondly in regard to the settlement of lands by Government, there is no imposition of *taravila* or value of the land. Here, we have already passed the provisions that the Chief is entitled to levy *taravila*. In the case of mortgages, we have made special provision. That seems to me to be a very equitable provision and that is what has commended itself to the members of the Committee.

The motion was put to the vote of the House and lost.

PRESIDENT : The next amendment is that of Mr. Govinda Menon to delete sub-clause (2) (iv) (a).

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That relates to the question of *taravila* which has already been voted upon.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Before proceeding, Sir, may I ask the Law Member to correct the printer's mistake ?

PRESIDENT : The next amendment is that of Mr. Thanu Pillai.

MR. A. THANU PILLAI (*Trivandrum-Rural*): My amendment is, substitute the following for sub-clause (2) (iv) (a): "for holdings, (not being those held on permanent or irredeemable tenures or on usufructuary mortgages) being settled as registered holdings, without the levy of any *taravila* or *tadivila* but subject to the assessment of the full *pattom* contemplated in Section 5 (2) (viii) as the rent payable to the Chief".

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): On a point of order Sir. In view of the fact that Mr. Govinda Menon was not allowed to move his amendment because it involved question of *taravila,* would Mr. Thanu Pillal be in order in moving this amendment?

PRESIDENT: Well, he makes an exception there. "For holdings, (not being those held on permanent or irredeemable tenures or on usufructuary mortgages) being settled as registered holding, without the levy of any *taravila* or *tadivila,* but subject to the assessment of the full *pattam* contemplated in Section 5 (2) (viii) as the rent payable to the Chief". There is some distinction between this and the other.

MR. A. THANU PILLAI (*Trivandrum-Rural*): The chief argument of the Law Member in regard to this point is that the Chief has at present the right to evict the tenants and he should not be made to lose that right unless a *taravila* is paid. I have only to answer, Sir, that he gets sufficient recompense for what he is alleged to lose. The Legislature is going to give the Chief ample facilities for collecting his rent. Why should the State interfere? Why should the Legislature go out of its way unless it be in consideration for something beneficial either to the whole State or to the tenants of the locality? And in claiming that we are not claiming anything extraordinary. This legislatoin will very greatly help the Chief to realise his dues and will considerably better his position. A statutory power is going to be exercised for realising his dues. As Mr. Changanachery Paramesvaran Pillai said, the Chief also is not going to lose anything. After all, what is the right enjoyed by the Chief now? He can get his dues; and cases of eviction are very rare. And from what we were able to understand at the meetings of the Select Committee, I can say that the Chiefs find it very difficult now to realise their dues. Then the question was asked "why don't you evict the tenants?" The answer was "It is impossible. We have a large number of tenants. We cannot file suits against them all. Thousands of suits will have to be filed. We are helpless". There the Legislature steps in and says "We will help you. You need not feel the difficulty any longer. We will enable you to realise the dues". Hereafter he will get his dues regularly. A very substantial right—a right that should normally he enjoyed only by the Government—is going to be conferred on the Chiefs; and they are asked in return to forego a shadowy right.

Then again most of the tenants have been holding their lands for years, for centuries. Under these conditions, Sir, I press this amendment

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I desire to say in reply to Mr. Thanu Pillai that the Chief is, in actual fact, helpless although he has the legal right to recover, and it is proposed that the Legislature should go to his help. The State has a duty to protect and defend the helpless individual. And when we are out to protect the Chief and suggesting remedies, what is it that the Chief should get? He would get rent, it is suggested. But that is undoubtedly due to him. Failing to get it, he should recover the land. That is the concession that he is offered. It seems to me that it is hardly worth the name of a concession.

The motion was then put to vote and lost.

MR. P. G. RAMA VARAMA RAJA (*Co-opted*): I move the following amendment:—

"Substitute" 'more' for 'less' after "with a term of not more in line 4 of sub-clause (iv) (a)"

It is only a printer's mistake. The Law Member himself admitted that the amendment can be accepted.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I agree to the amendment.

The amendment was accepted.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I move an amendment to sub-clause 2 (iv) (*b*) (ii) that the words,

"provision being however made notwithstanding anything in the contract that the rent payable during the currency of any period claimed and available under any covenant for the renewal of the holding shall be the pattom assessed on the holding at the settlement as contemplated in clause (viii)"

be deleted.

PRESIDENT: You want to delete sub-clause (iv) (*b*) (ii)?

MR. A. THANU PILLAI (*Trivandrum-Rural*): My idea is to delete the proviso in sub-clause (iv) (*b*) (ii), and not the whole sub-clause.

PRESIDENT: You did not move that in the agenda that is printed.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I beg your permission to move it.

PRESIDENT: The proviso alone need be deleted?

MR. A. THANU PILLAI (*Trivandrum—Rural*): Yes, Sir. My object is this. Clause (iv) (*a*) provides that holdings in respect of which there is a term of 12 years or less will be granted as registered holdings on payment of *taravila*. Then clause (iv) (*b*) (i) provides that:

"for such holdings being treated and recorded as the *thanathu* land of the Chief wherever the land-holder is unwilling to pay the *taravila* and accept registry as registered holding".

There may be cases where the tenant has the right to hold the property for a term and he may not be willing or able to pay the *taravila* and accept registry as a registered holder. In such cases he cannot be summarily evicted because his right to hold the property for

[Mr. A. Thanu Pillai.]

the period has to be respected. Provision is made in clause (iv) (*b*) (ii) that *thanathu* lands should be left to be dealt with by the parties in accordance with their contract or in such other manner as they may agree. Seeing that my attempt to secure the lands for the tenants free of *taravila* has failed, my object now is to see that their contracts at least are respected. So my present object is to see that, in cases where the tenant is not able to pay *taravila* at least his contract should be respected. The Law Member was emphasising here that the rights of the Chiefs should not be unduly interfered with. Here is a tenant who on account of his poverty is not able to pay *taravila*.

MR. KAYALAM PARAMESVARAN PILLAI (*Addttional Head Sirkar Vakil*): May I know the portion that the member wants to delete?

MR. A. THANU PILLAI (*Trivandrum—Rural*): "provision being however made notwithstanding anything in the contract that the rent payable during the currency of any period claimed and available under any covenant for the renewal of the holding shall be the *pattom* assessed on the holding at the settlement as contemplated in clause (viii)".

The parties may have entered into an agreement and the term fixed in the document may be for 12 years. There may be a covenant to renew the lease which gives a further period of 12 years. This clause as framed by the Select Committee is to the effect that in such a case——

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to a point of order. Mr. Thanu Pillai wants to delete a particular portion of that clause. But Mr. Raman Pillai's amendment No. 21 is to delete the entire clause.

PRESIDENT: There is a confusion, unfortunately, because of the manner in which the amendment was tabled. According to the original agenda in my hands, as also in the hands of honourable members, I suppose, the amendment is to delete sub-clause (iv) (*b*) (ii) of clause 2. Now the member who moves the amendment does not want the whole of that sub-clause to be deleted. All that he wants is that the words beginning from "provision being however made notwithstanding anything in the contract that the rent payable etc." up to the end of that sub-clause to be deleted. That is how I understand it.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I want to delete the words from "provison being however made— " up to the end.

PRESIDENT: Yes, that is how I understood it. You may now proceed.

MR. A. THANU PILLAI (*Trivandrum—Rural*): The lease may be for a term of 12 years and it may be renewed for another 12 years.

PRESIDENT: Order, Order. This unfortunate incident has caused a flutter in-as-much-as the members are not able to follow what the exact amendment is and, I think, have not understood it. The mover has got another amendment which is No. 21 in the printed agenda.

And therefore the amendment to delete sub clause (iv) (*b*) (ii) comes only afterwards. It would be better and in order if he takes No. 20 which merges in it.

MR. A. THANU PILLAI (*Trivandrum—Rural*): No. 20 is not my amendment.

PRESIDENT: I think the other one better be moved. Do you move your amendment, Mr. Raman Pillai?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I do not move.

MR. A. THANU PILLAI (*Trivandrum—Rural*): So, what I was saying was that a lease may be for a period of 12 years followed by a right for renewal at the expiry of the 12 years for another 12 years. So it may be altogether 24 years divided into two periods of 12 years each. At the time of the settlement 6 years from the commencement might have elapsed. The result may be that 6 years more for the tenant as part of the expressed term and then another 12 years under the covenant for renewal. The clause as settled by the Select Committee says that for the remaining 6 years which is expressed the tenant will have to pay rent at the rate agreed upon in the lease and thereafter for the period under the covenant for the renewal, rent should be paid according to the rate to be settled at the time of the settlement. That is the provision I object to. The provision says:

> "that the rent payable during the currency of any period claimed and available under any covenant for the renewal of the holding shall be the *pattom* assessed on the holding at the settlement as contemplated by clause (viii)".

That is highly objectionable for these reasons. In the first place, if the tenant is not to be given permanent rights of occupancy he gets absolutely no advantage. He has only to remain there for the period expressed in the lease and thereafter for the period provided for in the covenant for renewal. How can we in such a case get away from the terms of the lease? That is one thing.

Then again the clause suggested contemplates that at the time of settlement the rent will have to be fixed far in advance of the time when payment of it will commence. Suppose only one year has gone by since the lease. Then there are 11 years more to run of the expressed period. According to this provision, the rent settled at the time of settlement will begin to be paid only 11 years after the settlement. I ask is it right that you should settle today the rent that will begin to be paid 11 years hence? I say it is highly objectionable. In the meanwhile, anything may happen. The trees might be destroyed, floods may wash away the trees and the yield of the property may go down. Anything may happen. There may be greater economic depression then. How can we settle a rent that has to be paid only 11 years hence? That, I say, is highly objectionable.

Secondly, if the matter were settled by litigation, the courts may settle the rents on principles different from those adopted in the settlement. Abnormal increase will not be allowed by the courts. The courts

[Mr. A. Thanu Pillai.]

will take into account the custom of the locality in regard to the fixing of rents. Why should we impose upon parties terms that were not contemplated at the time of the agreement? So, Sir, I strongly urge the House the deletion of this provisio.

The provision with my amendment will read thus :—

'For such *thanathu* lands being left to be dealt with by the parties in accordance with their contract or in such other manner as they may agree."

The tenant has to pay *taravila*; he will be allowed to be in occupation only in accordance with the terms of the contract. For all these reasons, I move that the proviso to Clause 5 Sub-Clause(2) (iv) (*b*) be deleted.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I oppose the amendment. The provision is made with a view to respect the contractual rights between the Chief and his tenant, as much as it is possible. On examining a number of documents, it was found that the ordinary provision in the lease deed is that the land will be enjoyed by the tenant at a rent fixed for a period of twelve years and that he should have a right of renewal for a further period of 12 years on a revised rent. If, during the period available under this covenant for renewal, revision of rent is sought, he has to be allowed that. That being so, the Committee had to decide the question of the revised rent in some equitable way. If you leave the parties te settle the rent as between them, there may arise disputes and the matter may have to go to a court of law. To avoid such a contingency and to smoothen the relationship between the tenant and the Chief, such a clause was inserted. Further the rent that is fixed at the time of settlement is likely always to be reasonable.

Mr. Thanu Pillai said that the trees in a holding might die. Yes. But trees might also increase. In exceptional cases, there may be decrease. We cannot go into very minute details and scruntinise all these rare and perhaps purely hypothetical things. Something may be urged on this side and on that side perhaps in a formal or technical way. The Committee thought it safe to have a very fair provision like the one in the Bill. I think there is no harm in such a provision being inserted in the Bill.

PRESIDENT : The amendment has been moved and seconded—

The words beginning from "provision" at the end of line 2 and ending with 'clause (viii)' be deleted.

Those who are for the motion will please signify by show of hands.

The amendment was declared lost.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Sir, I demand a poll.

A poll was taken with the following result :—

AYES—20.

1 Mr. S. Chattanatha Karayalar
2 „ P. Chidambaram Pillai
3 „ A. S. Damodaran Asan
4 „ A. Easwara Pillai (*Kalkulam II*)
5 „ A. Easwara Pillai (*Kottarakara*)
6 „ K. R. Elenkath
7 „ Pottayil S Krishna Panicker
8 „ N. K. Krishna Pillai
9 „ Puthupalli S. Krishna Pillai
10 „ K. Kunjukrishna Pillai
11 Mr. M. K. Madhavan Pillai
12 „ K. A. Narayana Pillai
13 „ Pacode A. Narayana Pillai
14 „ S. Nilakanta Pillai
15 „ Kainikkara M. Padmanabha Pillai
16 „ Changanachery K. Paramesvaran Pillai
17 „ A. Thanu Pillai
18 „ S. Thiraviam Nadar
19 „ N. E. Varughese
20 „ N. Govinda Menon

NOES - 36.

1 Mr. N. Abdur Rahiman Sahib
2 „ K. C. Abraham
3 „ V. T. Chacko
4 „ Antony George
5 „ K. George
6 „ M. Mahomed Haneef
7 „ S. J. Nair
8 „ T. S. Jayantan Namboothiri
9 „ N. John Joseph
10 „ T. C. Joseph
11 „ K. C. Karunakaran
12 „ T. T. Kesavan Sastri
13 „ K. M. Krishnan
14 „ K. P. Krishna Menon
15 „ E. V. Krishna Pillai
16 „ T. Krishna Pillai
17 Rao Sahib Dr. N. Kunjan Pillai
18 Mr. C. V. Kunjuraman
19 „ E. K. Kunjuraman
20 „ K. M. Kuriakose
21 Mr. C. O. Madhavan
22 „ K. Madhavan
23 „ P. C. Narayanan Bhattatiripad
24 „ P. K. Narayana Pillai
25 „ R. Nilakanta Pillai
26 „ N. K. Padmanabha Pillai
27 Rao Sahib S. Paramesvara Aiyar
28 Mr. Kayalam Paramesvaran Pillai
29 „ V. Ramakrishna Panicker
30 Rao Bahadur N. Ramanuja Aiyangar
31 Mr. K. Sankaran
32 „ R. M. Statham
33 „ T. C. Thomman
34 „ G. B. E. Truscott
35 „ T. K. Velu Pillai
36 „ P. G. Rama Varma Raja

NEUTRALS—11.

1 Mr. T. K. Alexander
2 „ E. H. Francis
3 „ M. K. Janardana Kamath
4 „ K. Mahomed
5 „ M. N. Nair
6 „ G. Nilakantan
7 Mr. Edavanatt S. Padmanabha Menon
8 „ R. Raman Pillai
9 „ M. Sivatanu Pillai
10 „ V. K. Velappan Nair
11 „ T. P. Velayudhan Pillai

The amendment was declared lost.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Sir, I move the following amendment :—

> "For such *thanathu* lands being settled as registered holdings on the same conditions as are laid down in Section 5 (2) (iv) (a), if the landholder, at any time when he continues to be such, agrees to pay the *taravila* and accepts registry as registered holding"

to be inserted after Calause 5 sub-clause (2) (iv) (b) (ii).

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I rise to a point of order. It seems to me that this provision if carried will go against the decision we have already come to. We have already passed the clause relating to the settling of the *thanathu* lands. After having done that, is it open to move another amendment on the same point?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : The Law Member says that, when my motion for deleting the proviso in Section 5 sub-clause (2) (iv) (b) (ii) was defeated, a provision for the settlement of *thanathu* lands cannot come in. That position cannot be supported, because what is it that we decided there. This is what we decided. "For such *thanathu* lands being left to be dealt with by the parties in accordance with their contract or in such other manner as they may agree, provision being however made... ....". We only provided there that when a tenant is not able to pay the *taravila* and gets registry of land as a registered holder, that land shall be treated as the *thanathu* land of the Chief, the tenant shall be in possession on payment of the rent agreed upon between him and the Chief for the express period, and that during the period available under any covenant for the renewal of the holding, the *patton* fixed on the holding at the settlement shall be the rate. My proposal is that, at any time during the continuance of the tenancy, if a tenant comes forward and says, "well, I was not able to pay the *taravila* at the time of the settlement; now my condition has improved. I can spare something now. I shall pay the *taravila*. Please give registry of the holding as a registered land holder". If he comes forward and says that during the continuance of his tenancy, he should be allowed registry of the land as a registered land holder. That, Sir, is the effect of my amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Then, may I know, whether this is meant as a further proviso to Section 5, sub-clause (2) (iv) (b) (ii)?

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Yes, Sir; even though the other provisions have been thrown out, may I say that this is a further attempt on my part, a very earnest one, to safeguard the tenant's interests. I think nobody will oppose this proposal. If a tenant says that he will pay up the *taravila* and accept registry, there can possibly be no objection to that being allowed. Similar provisions we do find in British Indian enactments. The Madras Estates Land Act is an instance in point. There is a provision in it which says that, if a tenant who has not got permanent occupancy right at any time during the continuance of his tenancy desires to effect registry of his holding on satisfying the necessary conditions he must be given that right. The Zemindar should grant it. If not, the Collector would grant it.

MR. E. V. KRISHNA PILLAI (*Pattanantitta*) : Is it the suggestion of the member that taking and accepting registry should be left to the discretion of the tenant? That is, even the unwilling tenant should be given that concession and the settlement operation made unworkable?

MR. A. THANU PILLAI (*Trivandrum-Rural*): This is a time of grave economic distress. It is natural that the poor tenant may have every desire to continue in his holding where his father and grandfather lived and he may be unable to pay owing to economic distress at the time of the settlement.

I shall now refer to the parallel provision in Madras, *viz.*, Section 46 of the Madras Estates Land Act, which reads as follows:—

> "Except in the cases falling under sub-sections (4) and (5) of section 6 and sub-section (4) of section 8, the land-holder, notwithstanding any contract to the contrary or the existence of any lease, shall, on the application of a non-occupancy ryot and on the tender by him of a sum equal to two and a half times the annual rent payable in respect of the land together with the cost of preparing any instrument required for the purpose, confer upon the ryot a permanent right of occupancy in respect of such land".

A similar provision in the Edavagai Bill will bring immense relief to the poor tenants, who are unable to pay the *tarav* during times of depression.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Will not this amendment give shelter for land-holders who are unwilling to take registry at any time?

MR. A. THANU PILLAI (*Trivandrum—Rural*): After the tenancy terminates, the tenant cannot claim registry.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Suppose a tenant is allowed to continue a tenancy for a certain term, and that, so long as the term of his settlement, he is not able to pay and wants to put off payment according to the settled rates, rates fixed by State officers, does not this amendment give room for such tenants to continue not to pay the settled rates without bringing into effect any settement?

MR. A. THANU PILLAI (*Trivandrum—Rural*): I spoke on that. Under the provisions now accepted by the House, so long as the expressed time continues, the tenant shall pay the rent agreed upon by him. During the period available under the covenant for renewal, he has to pay according to the settled rates.

PRESIDENT: Who seconds it?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment. Our attempt in revising the Bill was to settle matters early and not to leave it unsettled.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I offer one word?

PRESIDENT: Is it a personal explanation or a reply to the Law Member?

MR. A. THANU PILLAI (*Trivandrum—Rural*): A reply, Sir.

PRESIDENT: Well, I am afraid, no.

The amendment was put to vote and lost, 23 voting *for*, 30 *against* and 8 remaining *neutral*.

MR. S. J. NAIR (*Nedumangad*): I demand a poll.

[Mr. S. J. Nair,]

A poll was taken and the House divided as follows :—

AYES—23.

1 Mr. S. Chattanatha Karayalar
2 " A. S. Damodaran Asan
3 " A. Easwara Pillai (*Kalkulam II*)
4 " A. Easwara Pillai (*Kottarakara*)
5 " K. R. Elenkath
6 " N. K. Krishna Pillai
7 " Puthupalli S. Krishna Pillai
8 " T. Krishna Pillai
9 " K. Kunjukrishna Pillai
10 " C. V. Kunjuraman
11 Mr. E. K. Kunjuraman
12 " M. K. Madhavan Pillai
13 " M. N. Nair
14 " K. A. Narayana Pillai
15 " Pacode A. Narayana Pillai
16 " S. Nilakanta Pillai
17 " K. Padmanabhan
18 " Changanachery K. Paramesvaran Pillai
19 " R. Raman Pillai
20 " M. Sivatanu Pillai
21 " A. Thanu Pillai
22 " N. E. Varughese
23 " N. Govinda Menon.

NOES—30.

1 Mr. N. Abdur Rahiman Sahib
2 " K. C. Abraham
3 " T. K. Alexander
4 " V. T. Chacko
5 " Antony George
6 " K. George
7 " M. Mahomed Haneef
8 " S. J. Nair
9 " T. S. Jayantan Nambootiri
10 " N. John Joseph
11 " T. C. Joseph
12 " K. C. Karunakaran
13 " T. T. Kesavan Sastri
14 " K. M. Krishnan
15 " K. P. Krishna Menon
16 " E. V. Krishna Pillai
17 " Rao Sahib Dr. N. Kunjan Pillai
18 Mr. C. O. Madhavan
19 " P. C. Narayanan Bhattatiripad
20 " P. K. Narayana Pillai
21 " R. Nilakanta Pillai
22 " N. K. Padmanabha Pillai
23 Rao Sahib S. Paramesvara Aiyar
24 Mr. Kayalam Paramesvaran Pillai
25 Rao Bahadur N. Ramanuja Aiyangar
26 Mr. K. Sankaran
27 " R. M. Statham
28 " T. C. Thommen
29 " G. B. E. Truscott
30 " P. G. Rama Varma Raja.

NEUTRALS—8.

1 Mr. E. H. Francis
2 " K. M. Kuriakose
3 " K. Mahomed
4 " G. Nilakantan
5 Mr. V. Ramakrishna Panicker
6 " S. Thiraviam Nadar
7 " T. P. Velayudhan Pillai
8 " T. K. Velu Pillai

The motion was declared lost.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, I move that the words 'to the land-holders' be substituted for the words 'to the Chief' in line 1 of proviso to sub-clause (2) (vi).

This clause provides that no *tadivila* shall be levied in respect of holdings when they are settled as permanent holdings. Now the effect of this is that no price would be paid for the trees at the time of the settlement. But in respect of the royal trees as they are called, the *kudivila* claimable from the Sirkar shall go to the Chief or rather continue to go to the Chief and not to the land-holder. I am unable to see any logic in this. When the right to the trees is given to the tenants, the right to the *kudivila* should also be given to them. *Kudivila* is the land holder's portion of the value of royal trees. There is absolutely no justification for reserving to the Chief the *kudivila*. There may be a difficulty arising in this way here. The Chiefs claim all the rights in respect of these lands and the trees standing on them, but in regard to the royal trees the Sirkar takes half. It may be that, in the case of these royal trees, the trees might belong to the Chief and the Sirkar have absolutely no right whatsoever. If the Sirkar have no right to the land or the trees thereon, how can the Sirkar have any right in respect of certain trees? That may be a disputable point. All the same, when the right of the trees goes to the tenant, there is absolutely no reason why the right to *kudivila* should not be given to him and the right to the other half of the tree value is a matter for adjustment between the Chief and the Sirkar. But that does not mean that the right of *kudivila* should be reserved to the Chief. Therefore, I move the amendment that the right of the *kudivila* should be paid to the land-holder.

MR. K. R. ELENKATH (*Kalkulam I*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Sir, I oppose this amendment. As matters stand today, the Chief is entitled to evict the tenant and to sell the lands. We are taking it away leaving but a nominal *tarxvila* for the permanent registry of the land in favour of the occupant. There does not appear to be any sound reason why the amount which the Chief can recover in cash in respect of the land should be transferred over to the tenant. The Committee has therefore come to this conclusion and I support that position.

PRESIDENT: The motion before the House is 'substitute the words "to the land-holder" for the words "to the Chief" in line 1 of proviso to sub-clause (2) (vi)."

The question was put and the motion was declared lost.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I move that the words 'in respect of which *melvaram* is being levied by the Chief' be substituted for the words "provided for in sub-clause (i) and on jenmom lands" in line 2 of sub-clause (2) (ix).

[Mr. A. Thanu Pillai.]

The present sub-clause reads thus:

"for the imposition of a *melvaram* for payment (over and above the rent otherwise payable) to the Chief on holdings provided for in Clause (i) and on *jenmom* lands and for the rates of such *melvaram* being fixed at one-eighth of the *pattom* assessable on such lands, provision being however made that the total demand on the land for rent and *melvaram* together shall not exceed the amount of the *pattom*:

So it provides for the imposition of what is called a *melvaram* for payment to the Chief on holdings provided for in sub-clause (i) and on *jenmom* lands. I seek to add these words, 'in respect of which *melvaram* is being levied' and to omit the words 'provided for in clause (i) and on *jenmom* lands'. My object is this. As it stands, the clause provides that in every case provided for in sub-clause (i) and on all *jenmom* lands *melvaram* shall be payable to the Chief. The cases provided for in sub-clause (i) are cases where the tenants have already got permanent occupancy rights. This is how the provision in sub-clause (i) reads:

'For the holdings held on permanent or irredeemable titles being settled as registered holdings without the levy of any *taravila* or *tadivila* or any alteration of the rent payable to the Chief.'

Hereafter according to sub-clause (i) (ix) over and above the assessment leviable in accordance with the contract between the parties the holdings are also subject to a payment of this *melvaram*. Then again, all *jenmom* lands shall also be subject to this *melvaram*. So these are the two kinds of lands that are sought to be made subject to *melvaram*. My contention is, there is no justification for it. No satisfactory evidence was forthcoming before the Select Committee and nobody was in a position to say in respect of what kinds of holdings this *melvaram* is being levied. It is claimed to be something in the nature of *Rajabhogam*; in respect of some favourably assessed lands, lands not assessed to the full *pattom*, *Rajabhogam* is levied. One-eighth of the full *pattom* is *Rajabhogam*. Corresponding to that here also *melvaram* is sought to be levied. But one does not know whether *melvaram* is actually being levied in either of these Edavagais. The information supplied by the representative of one of the Edavagais, namely, the Vanjipuzha Edavagai, was that in that Edavagai the practice is not to levy any *melvaram* at all. Still, if there is any holding there that is not assessed to the full *pattom*, this *melvaram* has to be paid. That will be a new liability imposed on the tenants though not contemplated by the parties. Then we do not know the conditions under which the lands which are not subject to the full assessment have been transferred by the Chiefs. The provision is, I think, grossly unfair to the tenants. So, what I seek now to do is to substitute the words 'in respect of which *melvaram* is being levied by the Chief' so that the Chiefs will get *melvaram* only from those lands from which they are getting it now.

Secondly, I was given to understand in the Committee meetings that in Poonjar Edavagai no *jenmom* land has been demised on *kanom*. The practice in respect of *jenmom* lands is to levy this *Rajabhogam* or one-eighth of the full *pattom* which corresponds to the *melvaram* on

jenmom lands only when they are demised on *kanom.* When the land is in the possession of the *jenmi,* it is not subject to *Rajabhogam* or one-eighth assessment. It is only when the *Jenmi* demises the land on *kanom* to tenants that it becomes subject to this *Rajabhogam* or ene-eighth assesement. In Poonjar no *jenmom* land is demised on *kanom* Then how can we seek to impose this *melvaram* on *jenmom* lands in Poonjar, I wonder. It can be easily seen even from the Government Administration Reports that in respect of *jenmom* lands they are subject to *Rajabhogam* only in case they are demised on *kanom.*

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): What about the *melavaram* settlement on *cherikal* account?

MR. A. THANU PILLAI (*Trivandrum-Rural*): The member may say what it is. I am speaking of *jenmom* lands. So far as the Sirkar is concerned, the *jenmom* lands are subject to *Rajabhogam* only on demise on *kanom.* Here there is no demise on *kanom* whatsoever, Also *jenmom* land has been defined differently from the *jenmom* lands defined in the Jenmi and Kudyan Regulation. In it the *jenmom* land is such land as is in the possession of the tenant and demised on *kanom.* Here it says that it is *jenmom* land whether demised on *kanom* or not. We are legislating utterly in the dark. Therefore it is that I say that only where the Chief is now levying *melvaram* he may be allowed to continue to do it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I oppose the amendment. What Mr. Thanu Pillai suggests is, let the amount be levied wherever it is being levied now. I submit, Sir, that in a settlement that we are projecting we want something definite for the Settlement Officer to proceed upon.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Is it not possible for the Settlement Officer to decide whether *melvaram* is being levied in respect of a holding or not?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). I say we want some settled principle on which the Settlement Officer can proceed. Otherwise, he will have to go and make an enquiry in regard to each holding and come to varying conclusions. We want to lay down a definite rule. Where a holding is subject to a lower assessment than the usual, then let the tenant pay *melvaram* just as *Rajabhogam* is levied by Government. Mr. P. K. Narayana Pillai asked Mr. Thanu Pillai whether *melavaram* is levied on *jenmom cherikal* lands. Yes, I think that some amount is levied. It is not right to say as an absolute rule that if *jenmom* lands are not alienated, *melvaram* should never be levied.

Sir, as I was saying, what the Committee tried to do was to make things settled. They sat over the measure for 17 days and they have come to the conclusion that *melvaram* might rightly be levied on holdings subject to a favourable assessment.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Is the Vanjipuzha Chief also allowed a right which he had not hitherto?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I never said that the Vanjipuzha Chief has no such right. I do not accept Mr. Thanu Pillai's statement.

MR. A. THANU PILLAI (*Trivandrum-Rural*): A word of personal explanation. I made a statement which the Law Member denies. Mr. Sreedharan Pillai, an agent of the Chief of Vanjipuzha, definitely told us in the committee that *melvaram* was not levied in Vanjipuzha. On the basis of that, I made the statement.

PRESIDENT: The motion before the House is to substitute the words 'in respect of which *melvaram* is being levied by the Chief' for the words "provided for in clause (i) and on *jenmom* lands' in line 2 of sub-clause (2) (ix)".

The question was put and the motion was declared lost.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I beg to move the following amendment:—

Add at the end of sub-clause (2) (ix) the following:—

"Provided (1) no further *melvaram* shall be levied on holdings for which *Rajabhogam* has already been imposed by the grants under which they are held and is payable as such.

(2) No *melvaram* shall be levied in cases where, from the nature of the title under which the lands are held, no *Rajabhogam* can be claimed".

The word '*melvaram*' is not defined in this Bill. So I think that *melvaram* is used in the place of *Rajabhogam* in Sirkar records. My fear is that a property once charged with an assessment may again be liable to a further assessment of the same kind. That should not be allowed. So a property once charged for *Rajabhogam* should never be charged again for *melvaram*. There are certain documents from which it may be seen that *Rajabhogam* is charged on certain lands and in regard to such lands *melvaram* should not be charged again.

PRESIDENT: The motion is lost for want of a seconder.

That disposes of all the amendments to Clause 5. The question I have to ask is whether Clause 5 as amended by the House do stand part of the Bill.

The Clause as amended was added to the Bill.

Clause 6.

The question that Clause 6 do stand part of the Bill was put to vote and carried. The Clause was added to the Bill.

Clause 7.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I beg to move the following amendment:

Substitute the following for Clause 7:

"The holders of lands within an Edavagai or part of an Edavagai in respect of which a settlement has been carried out in pursuance of this Regulation shall, from and after the date of the settlement being declared complete by Our Government, have the same right of permanent occupancy in respect of their holdings alienable and heritable, as holders of land under Our Government."

Sir, the object of the amendment is to try and give effect to the real object of this piece of legislation, *viz.*, to give permanent occupancy rights to the tenant.

MR. K. R. ELENKATH (*Kalkulam I*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment. Although, technically, Mr. Thanu Pillai may not be out of order in moving this amendment, he will himself concede that this amendment does not arise in the light of the provisions already adopted by the House.

The amendment was put to vote and lost.

The question that Clause 7 do stand part of the Bill was then put to vote and carried. The Clause was added to the Bill.

Clause 8.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I have given notice of the following amendment :—

Substitute the following for Clause 8 :

> "8 (a) Assignment of lands within an Edavagai shall be regulated by the law for the time being in force relating to the assignment of Government lands and shall be made by officers of Our Government authorised by Our Government in that behalf. The assignees shall be deemed to be registered land holders.
>
> (b) No assignment of *thanathu* lands in the possession of a land-holder shall be made in favour of a person other than such land-holder so long as he continues as such."

Clause 8 in the Bill, as it is, provides :

> "It shall be competent to the Chief to make assignments of *thanathu* lands; but such assignments shall be made in accordance with the law and rules for the time being in force for the assignment of Government lands so far as they are applicable and subject to the rights, if any, of their parties. Such assignees shall be deemed to be registered land-holders."

That empowers the Chief to make the assignment of *thanathu* lands. My objection to that is this. Practically, the law and the rules regulating to the revenue administration of Government are sought to be made applicable to the Edavagai lands also. No lengthy argument is needed to show that, when private individuals are given the power to assign lands, difficulties may arise, doubts may arise, as to whether the lands have actually been assigned, the extent of the lands so assigned, as to whether the records are kept properly, and so forth. There may be deviation from the rules. No doubt, there is provision for errors being corrected on appeal. But, that is only after all manner of difficulties have been created. The best course, therefore, will be to provide that the assignment is to be done by an officer of Government.

MR. K. R. ELENKATH (*Kalkulam I*): May I know who is to meet the cost on account of the salary of such officer?

MR. A. THANU PILLAI (*Trivandrum—Rural*): Of course, the Chief. I move only the substitution of sub-clause (*a*). Sub-clause (*b*) of my amendment as in the agenda, I admit, does not arise in view of one of my former amendments which has been thrown out.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I second the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose the amendment, Sir. The lands are taken to belong to the Chief; in any event he has many proprietory rights; it is, therefore, only reasonable that they should be left to be dealt with by the Chief himself. Government and their officers need interfere only when there is any necessity. No necessity has been made out. The rules prescribed in the case of the assignment of Government lands are binding on the Chief also. I do not think anything more is necessary.

The amendment was put to vote and lost.

MR. N. GOVINDA MENON (*Co-opted*): There appears to be a printer's or clerical error in the clause as it is in the Bill. The word 'their' ought to be 'third' in line 4 of the clause.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. Before the clause is put to the vote of the House, with your permission, Sir, I beg to move that the word 'third' be substituted for the word 'their' in the fourth line of Clause 8. It is a printer's mistake; the amendment is only a formal amendment.

The amendment was put to vote and carried.

The question that clause 8, as amended, do stand part of the Bill was then put to vote and carried. The Clause was added to the Bill.

Clause 9.

MR A. THANU PILLAI (*Trivandrum-Rural*): I move that Clause 9 be deleted.

Clause 9 provides for the eviction of persons in unauthorised occupation of land either before or after the commencement of this enactment. Sir, the Land Conservancy Regulation has been enacted with a view to prevent unauthorised occupation of Government land. Now, the provisions of that Regulation are sought to be made applicable to the lands in these Edavagais also. It is difficult to see the propriety of that. No doubt, provisions have been enacted enabling the Chiefs to get their lands settled. But, to extend the provisions of the Land Conservancy Regulation to the Edavagais and to provide for the eviction of unauthorised occupants of Edavagai lands is clearly wrong. Sir, the Land Conservancy Regulation is a measure intended to help the Government in preserving public land, land in which the public in general are interested. Public interests require that enactment. The position of these Chiefs is certainly not that of the Government. Government have lands throughout the State and the properties and revenues of Government are public property and public revenues. The whole State is interested in them. Government is intended for the benefit of the people. The revenues of the Chief, on the other hand, go to enrich only the Chief and not any section of the people. There is considerable justification for evicting a person who unauthorisedly occupies, public, property, Government land, by summary processes. There can be absolutely no justification in giving such protection to private individuals and their property. Sir, when my property is encroached upon, I must depend upon my resources to evict the trespasser, the unauthorised occupant, through the courts of law. The

Chiefs are rich enough, they have got resources enough, to seek redress through the courts in the land. On principle, therefore, the provision is utterly wrong.

Sir, about ten years ago, a similar attempt was made to introduce a Bill extending the provisions of the Land Conservancy Regulation to the Kilimanur and Edappalli Edavagais. The Legislature—it was the Legislative Council at that time—rightly rejected the Bill. They did not even accept the principle of the Bill; even introduction was not allowed. Now, Sir, ten years afterwards, the same provisions are sought to be made with respect to two other Edavagais.

In practice also, the working of this provision in the case of the Edavagais will be fraught with dangers and difficulties. In the case of Sirkar lands, we can depend upon the records kept by Government The Chiefs may or may not keep records; and, even if they have records, I do not know how far they would be reliable. Even without any record, the Chief might have allowed the occupation of lands. The occupier, trusting in the Chief, might have effected improvements on the land and the Chief might have been actually benefited by such occupation and improvement Later, the Chief may begin to dislike the man. There is nothing on record to evidence his occupation. The permission is granted by the Chief. The Chief says he is a man who is in unauthorised occupation of the land. The provisions of the Land Conservancy Regulation are put into effect. The man is evicted. Is it a procedure this House can countenance? Where is the guarantee that everything will be done rightly and properly? Who is to decide whether the occupation is unauthorised or not? The Chief may ask him to leave the land. In a court of law an elaborate and satisfactory enquiry would be made. All available evidence can be adduced and an officer who is able to deal with the matter, who has experience in taking and sifting evidence, tries the case, takes evidence, hears the parties and finally decides. Here if some Revenue Officer takes action under the Land Conservancy Regulation, we know what kind of enquiry he will make. So far as Government lands are concerned, there will be records to evidence lawful occupation. But in the case of these Edavagais, where are we to go for the records? How far evidence will be admitted, what kind of enquiry the officer will make, all these are questions for the House to consider. The security of rights will be affected. Then there is the further provision in the Bill which also, I am afraid, will be carried by a majority whereby the Chief's agent is to be empowered with the power to evict the occupant. I am only anticipating that this provision will be passed.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether this provision will lead to corrupt practices in the Agents?

MR. A. THANU PILLAI (*Trivandrum-Rural*): It will lead to all manner of corrupt practices, practices of a very unwholesome character.

Sir, I may more or less prejudge it and take it that the Chief's agent may exercise the power. What safety is there for the tenant? I

[A. Thanu Pillai.]

move that this be deleted. No doubt there is the provision that under certain conditions a person in occupation shall be given the option to pay *taravila* and take registry. That is nothing in the face of this objection.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I second it and in seconding this motion, I have to state a few facts just for the purpose of supplementing what the Honourable member has already stated. I have already tried to impress upon this House the justice and the justification for the bringing into existence of the Land Conservancy Regulation and its retention in the Statute Book. I would only make one further observation in regard to that. It has been systematically referred to in the speeches made by several of the Honorable members of this House that these lands should be treated on the same footing as Government lands and these lands should be given the same protection which the Government lands obtain under the Land Conservancy Regulation. Sir, the Land Conservancy Regulation was promulgated and accepted in order that Government may give away these lands for the benefit of the public. Put that idea on one side and consider whether the same principle is the guiding principle in enacting this Section. It has been stated here that the lands belonging to these Chiefs have been unauthorisedly trespassed upon and have been improved out of their control. For the purpose of preventing that and for the purpose of putting a weapon in the hands of the Chiefs for evicting such trespassers, this Section is brought into being. As I tried to emphasise yesterday, I might go one step further and state that, if the Chiefs are completely helpless to-day, are not as self-reliant as any other citizen who lives in the State and want extraordinary powers of protection for the purpose of shielding their property, we might give it. We might consider whether we can give it. But, Sir, in the case of lands which are already in the occupation of tenants and on which improvements have been effected, to make a provision that, if the tenant does not pay an additional enhanced penalty of twice the amount that has been paid by the ordinary holders, he stands the risk of being evicted. And what is the consequence of eviction? He has to walk out of the property without being entitled to ask for the value of improvements he has already effected on the land. Until the moment this Bill comes into life, a person who has effected valuable improvements upon another person's land, even though it commenced by way of trespass, is entitled to get compensation for it. Are we justified, are those who spoke vehemently for the protection of the Chief justified in saying that an honest citizen who has spent labour and who has invested money is to be turned out without allowing him an opportunity for maintaining his own rights? The law as it stands substantially helps him. But the law as it would be hereafter completely deprives him of the right which he possesses now. What is the *quid pro quo* as the Law Member put it? It is stated he has two months' time given to him. For what? For the payment of penalty that is imposed here, Rs. 30 in the case of dry land and Rs. 100

in the case of wet lands. That is the penalty. What about the improvements? Suppose he says he does not want registry of the land. What will his position be? The Chief's officer will immediately come forward and neck him out and he will have to go without getting a pie for what he has already done. Therefore, Sir, in regard to the Section there are two important provisions, one in regard to persons who unauthorisedly enter the land after the Regulation comes into force and the other who have already come and effected improvements. Much distinction has to be made and the two kept separately. No doubt, there is one amendment coming out in regard to this matter, *i. e.*, amendment No. 40. If the first portion of this clause is to stand, that is, if the present amendment is lost, we get one more opportunity for the purpose of deleting at least the most deleterious portion from the Section. It is no doubt a high privilege that is sought to be conferred upon the Chief. Sir, in regard to the protection offered to these persons, the Government till this moment thought that no Chief, however extensive might the estate be that belongs to him, is not entitled to gain such protection at the hands of the Government. That is why the Estates Rent Recovery Act of 1068 was passed as it is. I do not certainly believe that the persons who were living in the year 1068 and before were not as lawless as the persons who live today. If Government in 1068 did not think that there was any necessity for conferring any extra protection on the Chief, Sir, I fail to see the special reason that we have at present for the purpose of conferring this wide protection on all the Chiefs to-day.

There is one more point I have to emphasise. If an ordinary private citizen's land is trespassed upon by a third person, his only remedy lies in the Criminal Court or Civil Court. Every person's right has to be protected. I submit that as a citizen I am entitled to protection equally with any other citizen living in the State; and if my property is trespassed upon, I have to resort to these two tribunals for redress. I do not see why another under the same conditions should have a less cumbersome and less expensive method. I should also get a speedy method of protecting my right. So, I submit, Sir, there should be no distinction made.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I oppose the amendment. The security and stability and all that which are supposed to have been jeopardised are all pleaded in most eloquent terms. But, for whose sake and to secure what? It must be remembered that the provision in the Bill relates to the eviction of *trespassers*. A man enters wrongly into another man's land; when we make a provision to right it, it is said the security is affected.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Am I to undersand that this provision relates only to eviction of trespassers?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am saying that all the eloquent terms were used for maintaining a trespasser, a wrong-doer, in his wrongful act. Mr. Thanu

[Mr. Kayalam Paramesvaran Pillai.]

Pillai cannot question that fact. Then, it is said that the injured individual has other remedies open to him such as resort to Criminal and Civil Courts. Mr. Krishna Pillai also said that it should be easy to evict a tenant. If a man enters on another's land, it should be easy for him to evict the trespasser immediately. Yes there should be a remedy. What is provided in this Clause is a summary remedy of restoring the property to the real owner. Sometimes perhaps some nice questions may have to be decided. These can be ulimately left to be decided in a civil suit. Although proceedings are allowed to be taken under the Land Conservancy Regulation, a suit is not prohibited. We are not saying that the Revenue Officer's decision shall be final. It is a sort of primary remedy only we are providing.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Is it possible for a person to claim value of improvements after the enactment is passed?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May be. In regard to the land trespassed on, I am saying that the summary remedy that is provided here is not unusual; and apart from that, summary remedy proposed is against a person who has wickedly entered upon another man's land.

This provision for summary eviction will apply only to persons who have trespassed on the property after the commencement of this Regulation knowing fully well the rules enacted and the consequences involved in the act. With regard to persons who have entered and already occupied the land before this measure is passed, he can get a registry of the land at rates fixed by Government and he need not necessarily go out of the land. He has to pay for the registry a *taravila* not exceeding Rs. 30 per acre of dry land and Rs. 100 per acre of wet land. Is it too high? To people who trespass after the passing of this Regulation, why should any concession be shown at all? People who have already been occupying and have been reaping the benefit of the land, they may be called upon to pay a *taravila* and take registry of the land if they please; if not, they may go out of the land. I do not see why any further concession should be shown to them.

PRESIDENT: The question is whether Clause 9 be deleted.

The motion was put to the vote of the House and lost.

MR. N. GOVINDA MENON (*Co-opted*): I move that the following proviso be added to Clause 9.

"Provided also that in case any such person is evicted under this Section, the value of improvements effected by him shall be assessed according to rules prescribed and offered to him before such eviction.'

My reason is this. As has been submitted, this provision of law which has been extended to the Chiefs is very hard and an extraordinary one. Under the earlier part of the clause. the Chief is given the power to summarily evict persons who have unauthorisedly occupied the lands after the coming into operation of this

Regulation. But to those persons who have already entered the lands, and who have expended much money and labour to improve the lands long before this Regulation comes into force, it is certainly very hard to let them go out of the property by summary processes without their being paid any compensation for the money and labour they have spent. It is the ordinary law of the land that, to those persons who have improved the properties and bettered their condition so as to increase their value, the owner has to pay for the value of improvements found on the properties at the time of eviction. That very elementary right under civil law is being negatived by this legislation.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I wish to know as to who is to prescribe the rules contemplated in the law.

MR. N. GOVINDA MENON (*Co-opted*): For that there are provisions in the Bill itself.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is the member aware that it is contemplated that rules on this subject shall be prescribed by Government?

MR. N. GOVINDA MENON (*Co-opted*): Yes. But unless it is specifically said that rules are necessary, they may not be prescribed under this Regulation. Of course the rule-making power is given for the purpose of certain things for which rules are necessary and rules have to be prescribed for the assessment of the value of improvements on this class of lands. So what I say is that the right of the occupier should be respected. The Honourable Law Member was saying a few minutes ago that, as far as possible, vested rights have been respected in the drafting of the Bill by the Select Committee. Is it not the vested right of the occupant to get compensation for the improvements he has effected when he is evicted? His only right was to get the value of improvements, when evicted, through the civil court. That right has been denied to him and my proviso only makes it possible for the occupant to get the value of the improvements effected by him at the time of eviction. So I move that this proviso also be added as a second proviso to Clause 9.

MR. K. R. ELENKATH (*Kalkulam I*): In seconding the amendment, I would appeal to the House to see that this amendment does not meet with the fate of the other amendments; for this makes only a very moderate demand. I presume that rules will be forthcoming based on the provisions of the Bill, which will make clear doubts, if any, and convert the Bill into a practicable or workable scheme. So I appeal to the House to support this amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I oppose the amendment.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I have to submit a word in support of the motion.

PRESIDENT: I have already called upon the Law Member to speak.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I oppose this amendment. I shall at the outset explain what the effect of this amendment will be. It will be seen that trespassers are divided into two classes. One, those people who have entered on the lands before the commencement of this Regulation and the other, those who trespass on the lands after the passing of this Regulation knowing fully well the rules and knowing full well the consequences of what they are doing. I have no sympathy for the latter class of trespassers for they know full well the consequences. Why should they be given any concession? They should be summarily evicted. No concession should be shown at all to trespassers who enter the land after the commencement of this Regulation. No doubt some concession may be shown to the other set of trespassers and that concession is proposed already to be given. It is open to them to get a registry of the land by payment of Rs. 30 per acre of dry land or Rs. 100 per acre of wet land. When that concession is provided, there is no necessity to provide for the value of any improvements being given.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : Do not civil courts allow the value of the improvements?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes. But, here we compel the Chief to grant the land to the trespasser on a reasonable *taravila*.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon I*) : If the tenant wants only the value of his improvements and not the land?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : He can compel the Chief to grant the land registered in his name. If he says he does not want the land, he can go out of it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Suppose he wants only the value of the improvements and not the land?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : That he cannot have.

PRESIDENT : The amendment being moved and seconded, the question is whether the amendment may be accepted.

The amendment was put to the vote of the House and lost.

MR. N. GOVINDA MENON (*Co-opted*) : I demand a poll.

A poll was taken, and the House divided as follows :—

AYES—15.

1	Mr. A. Easwara Pillai (*Kalkulam II*)	9	Mr. K. Padmanabhan
2	,, K. R. Elenkath	10	,, Edavanatt S. Padmanabha Menon
3	,, N. Govinda Menon	11	,, Changanachery K. Paramesvaran Pillai
4	,, N. K. Krishna Pillai	12	,, A. Thanu Pillai
5	,, Puthupalli S. Krishna Pillai	13	,, S. Thiraviam Nadar
6	,, K. Kunjukrishna Pillai	14	,, N. E. Varughese
7	,, Pacode A. Narayana Pillai	15	,, V. K. Velappan Nair
8	,, S. Nilakanta Pillai		

NOES--38.

1	Mr. N. Abdur Rahiman Sahib	21	Mr. E. K. Kunjuraman
2	,, K. C. Abraham	22	,, K. M. Kuriakose
3	,, T. K. Alexander	23	,, C. O. Madhavan
4	,, V. T. Chacko	24	,, K. Madhavan
5	,, E. H. Francis	25	,, P. C. Narayanan Bhattatir-pad
6	,, Antony George	26	,, P. K. Narayana Pillai
7	,, K. George	27	,, R. Nilakanta Pillai
8	,, M. Mahomed Haneef	28	,, N. K. Padmanabha Pillai
9	,, S. J. Nair	29	Rao Sahib S. Paramesvara Aiyar
10	,, T. S. Jayantan Nambootiri	30	Mr. Kayalam Paramesvaran Pillai
11	,, N. John Joseph	31	,, V. Ramakrishna Panickar
12	,, T. C. Joseph	32	,, R. Raman Pillai
13	,, K. C. Karunakaran	33	Rao Bahadur N. Ramanuja Aiyangar
14	,, T. T. Kesavan Sastri	34	Mr. P. G. Rama Varma Raja
15	,, K. M. Krishnan	35	,, K. Sankaran
16	,, K. P. Krishna Menon	36	,, R. M. Statham
17	,, E. V. Krishna Pillai	37	,, T. C. Thommen
18	,, T. Krishna Pillai	38	,, G. B. E. Truscott
19	Rao Sahib Dr. N. Kunjan Pillai		
20	Mr. C. V. Kunjuraman		

NEUTRALS—9.

1	Mr. S. Chattanatha Karayalar	6	Mr. K. A. Narayana Pillai
2	,, A. Easwara Pillai (*Kottarakara*)	7	,, G. Nilakantan
3	,, M. K. Madhavan Pillai	8	,, Kainikkara M. Padmanabha Pillai
4	,, K. Mahomed	9	,, M. Sivatanu Pillai
5	,, M. N. Nair		

The amendment was declared lost.

PRESIDENT: The question is that Clause 9 do form part of the Bill.

The motion was put to the vote of the House and carried, and the Clause was added to the Bill.

Clause 10.

PRESIDENT: The question is that Clause 10 do form part of the Bill.

The motion was put to the vote of the House and carried, and the Clause was added to the Bill.

Clause 11.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I move the following amendment. Substitute the following for the second sentence:—

"Such rent and *melvaram* shall be treated as if they were public revenues and in default of payment may be recovered as arrears of public revenue under the Revenue Recovery Regulation I of 1068, subject to such rules as may be prescribed."

[Mr. A. Thanu Pillai.]

The provision as drafted by the Select Committee enables the Chief to recover by means of the provisions of the Revenue Recovery Regulation not only the rent and *melvaram* on registered holdings but also rent in respect of any registered holding and *taravila* and *tadivila* or any other amount accruing due in respect of any land in the Edavagai. That is, amounts coming under whatever description can be collected by putting into effect the provisions of the Revenue Recovery Regulation I of 1068. The provision, Sir, is something which can, by no means, be supported. My amendment will limit this right to the collection of rent due to the Chief on registered holdings and *melvaram*. If the holding is not a registered one, the rent and *melvaram* and other amounts due to the Chief, according to me, cannot be collected in pursuance of the Revenue Recovery Regulation.

In the case of a registered holding, there is the guarantee that the rent can be fixed on certain definite principles. Those principles can well be accepted to be such as would do no harm to any party. But in the case of other rents, they may be the result of various circumstances. The party may have entered into contract with the Chief under special circumstances.

Under a registered deed it may be that a tenant is liable to pay Rs. 100 per annum. In a court of law, the tenant may raise a contention that he is not liable to pay. It may be that, though the deed has been brought into existence, the tenant has not been given possession of the property or there may be circumstances justifying a reduction of the rent. Such pleas it is open to the tenant to raise in the court. If the recovery is under the Revenue Recovery Regulation, nothing like that is possible. The authority for collecting the rent will only look into the document and say what the amount is. If there is no voluntary payment, the authority will coerce the tenant to pay the amount. The absurdity, Sir, is patent. The safeguards that exist in the case of a registered holding do not exist in the case of a non-registered one. Or, if it is under a registered deed, there might be a counter-claim. A tenant in a court of law may contend that he has advanced certain sums to the Chief or the Chief owes him certain amounts. These amounts will be set off against the rent. Where is the occasion for all that, when the rent is sought to be collected by the Revenue Recovery Regulation? This provision would be highly unfair to the tenant. So, we ought to restrict the operation of the provisions of the Regulation in respect of collection to rents and *melvaram* on registered holdings. Because there is no guarantee that a tenant will not be unjustly treated, such a restriction is very necessary in regard to the mode of collection. Again, Sir, this clause refers to *taravila* or *tadivila* or other amounts accruing due to the Chief. Now, *taravila* and *tadivila* might have been fixed by the Chief or his agents. They might be excessive. Or, any other amount accruing due to the Chief in respect of holding or land, what that can be, we do

not know. Considering all these circumstances, we have to clearly limit the application of the operation of the Revenue Recovery Regulation.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Will amounts due according on a pro-note be included under this?

MR. A. THANU PILLAI (*Trivandrum-Rural*): Pro-note amounts cannot come in this. The amounts due must have something to do with the holding.

Then there are amounts due under orders passed by the Chief. There is a provision following, where the coercive powers for collection are to be exercised by the Chief's agents. If that Section is passed, the situation will be worse still. He may claim a certain amount. There is a registered deed. The party has not got permanency; the land or the land has been taken away from him. Or, there may be some counter-claim by the tenant. All these will not be listened to. He will only say so much is due. If the tenant does not pay, he will coerce him. He will seize his movables, sell his immovable property, and cause untold misery to the tenant. All these, the Chief's agent can do. He is the party, the judge, as well as the authority for executing his own decision. Even if the powers are not conferred on the Chief's agents, the amendment is highly necessary. I propose my amendment for acceptance by the House.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I heartily second the amendment of Mr. Thanu Pillai.

PRESIDENT: As I said, the House will continue to sit over the Bill till it is finished to-day. I propose to give a short interval for members to have their tea. We will now adjourn and meet again at 5 P. M.

The House adjourned at 4-40 P. M. and met again at 5 P. M. with the President in the Chair.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It must be admitted that the proposal in the Bill is to recover under the Revenue Recovery Regulation only such amounts as are rightly due to the Chief. Mr. Thanu Pillai raised the objection to one particular portion alone, *viz.*, to the provision about other dues such as any other rent or *taravila* or *tadivila* or other amount accruing due to the Chief. It must be borne in mind that these amounts are all due under registered documents or official orders.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Not only that, I oppose the whole provision.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, in regard to registered documents, any person who questions the amount due under the deed must have recourse to civil suit and get it set aside. So long as that is not done, it is but fair that the amount covered by the deed should be presumed to be due *prima facie* at any rate.

Then in regard to other dues, the amounts are dues under orders passed under provisions of this Regulation or some other legal provision. What is the objection to such amount being recovered? There is also the ultimate remedy through civil courts.

The amendment was put to vote and lost.

MR. N. GOVINDA MENON (*Co-opted*) : By my amendment I propose to exclude only the dues under registered document from the Chief. This is a more modest demand than that contemplated in the amendment moved by Mr. Thanu Pillai. My reasons for the amendment are that, first of all, the registered documents, executed by the Chief in favour of tenants, are very often overlapping and it is not a general rule that such documents are followed by possession. In the case of rent, *melvaram* and other dues, settled under this Regulation, there is some justification for applying coercive process for recovery ; but as far as the dues under the so-called registered documents are concerned, there is no such sanction. Secondly, under the provision of this Bill, there will be rent-roll and other accounts kept in conformity with the similar records kept by the Sirkar and the recovery will be done only in accordance with the rent-roll and other records kept in the office of a competent authority. In the case of dues under registered documents, there is no such accuracy; and there is no guarantee that the amounts under the document are due to the Chief, the only fact that a document has been executed being insufficient to prove the fact conclusively. It cannot be said that all the obligations contemplated in the document have arisen. Of course, the Law Member suggested that there is a civil remedy but my submission is that a civil remedy is not a proper guarantee for such a measure. Now, under the coercive process of the Revenue Recovery Regulation, when dues have been collected, which are not actually due, it is well known how difficult it is for a poor man to go to a civil court and obtain a relief. So, I submit, Sir, that the amendment proposed for altering the second sentence of Clause 11 by excluding dues under registered document be accepted.

PRESIDENT : Is there anybody to second it ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; I oppose the amendment. The civil remedy as explained before is available.

MR. A. THANU PILLAI (*Trivandrum-Rural*) May I know from the member whether one cannot resist an attempt to recover the dues under that document when a suit is filed by any party?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes, he can. But so long as he has entered into a solemn agreement to pay an amount and so long as that document stands intact, he must pay the amount.

The amendment was put to vote and lost.

MR. N. E. VARUGHESE (*Tiruvalla I*) : സർപതിനൊന്നാമത്തെ ക്ലാസിൽ "ലാൻറു" എന്നുള്ളതിനു പകരം "ഹോൾഡിംഗ്" എന്നാക്കണമെന്നാണ് എന്റെ ഭേദഗതി. ലാൻറിനും ഹോൾഡിംഗിനും ഒരു പോലെയുള്ള അർത്ഥമാണ് ഇവിടെ കൊടുത്തിരിക്കുന്നതു്. ലാൻറു ഏ

ന്നു പറയുമ്പോൾ ആ ഭൂമിയിൽ എന്തെല്ലാമുണ്ടോ അവയുടെ സർവ്വ അവകാശങ്ങളും ഉൾപ്പെടുന്നതാണ്. ആ ഭൂമിയുടെ അടിയിൽ വല്ലതും ഉണ്ടായിരുന്നാൽ അതിനേയും വില്ക്കാൻ നിയമം ഉണ്ടോ എന്നറിയുന്നില്ല. കരക്കുടിശ്ശിഖറെഗുലേഷൻപ്രകാരം കുടിശ്ശിഖക്കാരനു വസ്തുവിന്മേലുള്ള അവകാശം എന്നു മാത്രമേ ഉദ്ദേശിക്കപ്പെടുന്നുള്ളൂ. അതുകൊണ്ട് "ലാൻറു" എന്നുള്ള പദത്തിനു പകരം "ഹോൾഡിംഗ്" എന്നു ചേർക്കണമെന്നാണ് എൻെറ അഭിപ്രായം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I oppose the amendment.

PRESIDENT : Has it been seconded ?

MR. K. R. ELENKATH (*Kalkulam I*) : I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : The word 'land' used in the Clause is a very appropriate expression. I may say that, in the previous portion of this Clause, it is said that the rent due to the Chief on registered holdings and the *melvaram* due to him shall be a first charge. Some expression must be used to cover land which is not a holding as defined. So, the expression 'land'.

The amendment was put to vote and lost.

The question that Clause 11 do stand part of the Bill was then put to vote and carried. The Clause was added to the Bill.

Clauses 12, 13 and 14.

The question that Clauses 12, 13 and 14 do stand as parts of the Bill was then put to vote and carried. The Clauses were added to the Bill.

Clauses 15

MR. A. THANU PILLAI (*Trivandrum-Rural*) : I beg to move that the following be substituted for Clause 15.

Sir, may I slightly modify the clause ? The new amendment will be fully covered by the one of which I have given notice. But I wish that the latter portion of my amendment may be omitted because there is some discrepancy in it. May I do so ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I have no objection.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : This is the amendment that I now propose to move :—

> "The powers of a Proverthicar, Tahsildar, Dewan Peishkar, or other officer under the Revenue Recovery Regulation I of 1068 or the Land Conservancy Regulation IV of 1091 shall be exercised only by Our officers acting as such and authorised in that behalf."

The object of this amendment is clear.

[Mr. A. Thanu Pillai.]

This Clause in the Bill is one which, in my opinion, excels all others in its objectionability, because this provision in the Select Committee's Bill seeks to empower the agents and servants of the Chiefs with the powers of officers under the provisions of the Revenue Recovery Regulation and the Land Conservancy Regulation. The absurdity of the thing is clear.

Let us consider the Land Conservancy Regulation first. What are the kinds of powers that are to be exercised by the Dewan Peishkar under the Land Conservancy Regulation? He has to evict persons who are in unauthorised occupation of land. The Law Member waxed eloquent over the fact that we are here legislating for settling affairs between two private individuals or between one private individual on the one side and a number of private individuals on the other side, that we ought to respect their rights, that we ought not to infringe upon the rights of either party and so forth. If it is so, Sir, can any Government or any responsible body of public men think of a measure where one party is allowed to take the law into his own hands? The agent has to decide whether the land belongs to his employer, the Chief. He has to decide whether the other party is in occupation. He has to decide whether the occupation is unauthorised or authorised by his employer. Then he has to decide whether the occupant has to be evicted and he is to evict him and probably if resistance is offered, he is to evict him forcibly.

Sir, these are the powers to be exercised by the Chief's agent and the dispute is a dispute between the Chief and the other party, whether the land belongs to the Chief or the other party, whether the Chief has authorised the other party to enter or not, and how he is to be evicted. So, should I dilate on this matter to prove the absurdity of the provision? If the Government are to delegate these powers to the Chief's agent, they may very well abdicate Sir, it is too late now and I do not want to dilate on this point further. I may also say that I am not moving the amendment in the hope of its being received with any kind of sympathy by the majority of the House.

As for the applicability of the other Regulation, the Revenue Recovery Regulation, I of 1068, there again the questions that arise are whether there is any default of payment of revenue, what is the amount to be paid, whether a payment has been made or not then, coming to the procedure, whether moveable property or immoveable property should be proceeded against if it is moveable, the distraint of moveables, if it is immoveable, to sell the land, to issue a certificate of sale and, if the occupant resists eviction, to evict him forcibly and, if necessary, also to send him to jail, if he resists further.

Here again who are the parties? Sir, they are the Chief on the one side, and the tenants on the other. Who is to decide these things? The Chief's servant,

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the said servant is a Government servant or a private employee?

MR. A. THANU PILLAI (*Trivandrum-Rural*): In the Select Committee's Bill he is a private individual's servant. There is the provision that these powers are to be used only by officers lent by Government. On principle, what difference does it make, I ask. Government may lend the services of an officer to me, and so long as he serves me he is my servant and not a Government servant during that period.

MR. K. R. ELENKATH (*Kalkulam I*): Does the member mean that the Government should take up the direct management of the Edavagais?

MR. A. THANU PILLAI (*Trivandrum-Rural*): I have no objection to that. But then, strong objection was raised to that proposal in the Select Committee. Sir, the Government may manage the Edavagais and pay the Chiefs their dues But that question is not before us now. What I propose is this. Since the other provisions have been accepted, let us see what the practice is in Edappalli and Kilimanur. There the Land Conservancy Regulation is not in operation. That fact we have to remember. It is only the Revenue Recovery Regulation that is applicable. In the case of defaulting tenants, a requisition is made by the Chief to the local Revenue Officers. They take steps and recover the dues and hand them over to the Chief. That is what has been going on from 1068 onwards and probably even prior to that date. Whatever may have been the practice prior to 1068, after 1068 it is clear that this is the practice. The officers of the Edavagais are not given these powers at all. There the provision is that "the rent due to the Chief shall be recovered in accordance with the provisions of the Revenue Recovery Regulation by Our officers." That is the provision which the Legislature as early as 1068 took care to provide. On principle, therefore, the present provision in the Bill is clearly wr ng.

I wish to refer to a few of the details regarding the application of this Regulation. What are the provisions that we have passed so far and what is the effect of those provisions? The *melvaram* and rent on a registered holding. That is all right. There is at least some guarantee as to what is due. Then any other amount due to the Chief connected with the land. Who is to keep the records relating to them? Who is to get the evidence of the transaction? Who is to do all that? The Chief or the Chief's own agent. So, it is the party who is the deciding authority and he is the authority for executing the order as well. That is the position. As for distraint. The Chief, after all, is a private individual. That was conceded by the Law Member. Suppose the Chief has some grudge against a tenant. These Chiefs are also men, not super-men. The agent is, after all, the Chief's servant for the time being. He might be a lent officer of Government Does the fact that a man is a lent officer of Government take him out of the human species? Does it divest him of all baser elements in human character? Certainly

[Mr. A. Thanu Pillai.]

not. In Government service there are several checks on the misconduct of an officer. Those checks are not here in Edavagai service. I say the Chief may have a grudge against a tenant of his, and he may direct his agent to distrain the tenant's moveables. The agent is only the Chief's servant and it should be against all knowledge of human nature if we should imagine that the agent would under such circumstances always resist the temptation to please his master, if he is a gentleman who wants to get on. The Chief may direct him to do something wrong or the agent may do it himself of his own accord to serve the Chief's interests. I know that the Law Member will come forward and say "there is the right of appeal". We know what it is, when the mischief is done. There are even provisions in the Regulation for breaking open the rooms of dwelling houses for distraint of moveables. Anything might happen. After all, the Dewan Peishkar, on an appeal, might ultimately say "I cancel the proceedings". Can we allow a party to take the law into his own hands and do something unjust and leave it to the injured party to appeal and get the consolation of a finding that what was done against him was not right? On this question I had to address the old Legislative Council at great length on a former occasion when a Bill was introduced to confer the powers under the Revenue Recovery Regulation on officers of the Sripadam. That Bill passed the second reading stage. But the Government dropped the measure themselves. They were satisfied about the absurdity of the provisions in it.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether Government dropped the Bill on account of the opposition made by the member and the member's speech?

MR. A. THANU PILLAI (*Trivandrum—Rural*): Sir, I do not understand the propriety of the question.

PRESIDENT: Will you please go on in your own line of argument Mr. Thanu Pillai?

MR. A. THANU PILLAI (*Trivandrum—Rural*): Ultimately, the Government dropped the Bill. I take it that the Government dropped it because they were satisfied that it was wrong to pass it.

Sir, I do not wish to detain the House any longer. I press these objections for the consideration of the House. This provision is nothing but objectionable. Therefore I say that these powers can be exercised only by Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): In seconding the motion I would add a few words. The only consideration which weighed with the Legislature in giving Government these extraordinary powers for the realisation of their revenues is that that revenue is realised for the benefit of the people who pay that revenue. They have got a control over the expenditure out of that revenue so realised and they have got the consolation that that amount is spent for the public good.

But, in the case of the Edavagais, who will guarantee that the amount will be spent for public purposes? It seems to me that the only

saving feature, in favour of these coercive processes in the case of Government (which are in their essence an infringement of the liberties of the citizen), is that they are collected for the purpose of public expenditure. That is the only justification for allowing these processes even in the case of Government. Certainly, no such ground can be urged in the case of these Chiefs, who may squander the money or spend it uselessly as they like. At any rate, there is no guarantee or even hope that the collections are to be spent for the good of the people.

There is one argument which I would like to deal with. It may be urged, in support of the provision in the Bill, that since it is only officers lent by Government that could exercise these powers under the Revenue Recovery Regulation, there is safety in that. Sir, that is a misconception, if the argument is put forth seriously.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Is the member aware of the *Malayaru* Act recently enacted by the Imperial Legislature ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am not aware; and I am not able to understand the suggestion that the member wants to make.

Sir, even in the case of an officer of Government lent to the Chief, during the period he is under the service of the Chief, the Government have absolutely no disciplinary control over the officer. There is therefore, absolutely no difference between an agent of the Chief who is a lent officer of the Government and another agent who is not such an officer, so far as the disciplinary control by Government over such agent is concerned. There is only the remote chance of the Government recalling him in case of extraordinary misconduct. I do not see how the wrongs done by him are to be rectified or checked. As long as he is under the service of the Chief, it is only the Chief that can take disciplinary action against him, and not the Government. That fact has to be clearly borne in mind by this House in considering this provision.

Further, we are not assured by the provision that only men of status and educational qualification would be appointed to exercise these powers under this enactment. Even a Provertikar may be appointed as the agent of the Chief. The clause is absolutely silent as to the status or qualification of the officer to be appointed as the Chief's agent. We are absolutely in the dark as to the sort of person that is to excercise these extraordinary powers which, so far as the Government are concerned, only responsible officers can exercise. The dangerous nature of the provision will, I hope, be obvious to the House.

Sir, it is a very dangerous provision that is now before the House. It is going to affect the tenant population very adversely. And, as I have already explained, absolutely no safeguard has been provided. I would therefore request the House to consider the provision seriously. And, no case has been made out as to why such special treatment should be accorded to these two Edavagais alone.

With these words, I second the amendment:

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I oppose the amendment. This is one of the important clauses of the Bill, and it has been put in for the efficient management of the Edavagai affairs, wherein a lot of money has to be collected and there is a large extent of land involved. Sir, after all, the provision is intended for the recovery of money *rightly* due.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : Who is to say that the money is rightly due ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); Sir, once it is conceded that the object of the provision is the recovery of money *rightly* due, I daresay it will also be conceded that the provision only provides the mere *procedure* for the realisation. If the agent of the Chief is not to exercise these coercive powers, the court will do it. That is all.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know why it should not be left to the court to exercise these powers ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, the whole thing, even under the provision as it stands in the Bill, is subject to revision by the civil Court. The provision also clearly lays down that such powers could be exercised only by an officer lent by the Government.

Mr. Thanu Pillai referred to a provision in another Bill relating to the exercise of these powers by the Sripadom officers. Although it is not strictly relevant now, I shall refer to it since Mr. Thanu Pillai referred to it. What was the provision in that Bill ? Under the provision therein any person, whether official or not, may be granted the powers. He need not necessarily be an officer lent by Government. The Select Committee was apparently persuaded by Mr. Thanu Pillai and they especially provided that the person to be conferred with powers must be an official of Government.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Was it not laid down in that Bill that the powers could be exercised only by officers of the Sripadom approved of by the Government ?

Could not the Government refuse, under the other Bill, to confer these powers on the Sripadom officer if they were not satisfied with him ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Yes, Government can refuse. But, can it be denied that, when the officer is one lent by Government, he would be subject to disciplinary control by Government ?

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*) : May I know how he will be subject to the disciplinary control of the Government ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : If he misconducts himself, Government may even dismiss him.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*). May I know whether the Government of India exercise any disciplinary control over officers lent to us?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not propose to answer that question, Sir.

Further, there is the proviso that an appeal shall lie to an officer of Government in Government service. There is also express provision for redress being sought through a civil court.

Sir, it was even suggested that *any* person may be lent by Government as agent to the Chief, say perhaps even a peon I do not think that any one can reasonably suggest that. I assure the House that Government will not do any such thing.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I did not suggest that the Government may lend a peon as agent to the Chief.

The amendment was put to vote and lost.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll. A poll was taken and the House divided as follows:

AYES—16.

1 Mr. T. K. Alexander	9 Mr. S. Nilakanta Pillai
2 ,, A. Easwara Pillai (*Kalkulam II*)	10 ,, K. Padmanabhan
3 ,, N. Govinda Menon	11 ,, Kainikkara M. Padmanabha Pillai
4 ,, N. K. Krishna Pillai	12 ,, Changanachery K. Paramesvaran Pillai
5 ,, Puthupalli S. Krishna Pillai	13 ,, R. Raman Pillai
6 ,, T. Krishna Pillai	14 ,, A. Thanu Pillai
7 ,, K. Kunjukrishna Pillai	15 ,, S. Thiraviam Nadar
8 ,, Pacode A. Narayana Pillai	16 , N. E. Varughese

NOES—32.

1 Mr. N. Abdur Rahiman Sahib	19 Mr. K. Madhavan
2 ,, K. C. Abraham	20 ,, P. C. Narayanan Bhattatiripad
3 ,, V T. Chacko	21 ,, P. K. Naryana Pillai
4 ,, Antony George	22 ,, R. Nilakanta Pillai
5 ,, K. George	23 ,, N. K. Padmanabha Pillai
6 ,, M. Mahomed Haneef	24 Rao Sahib S. Paramesvara Aiyar
7 ,, S. J. Nair	25 Mr. Kayalam Paramesvaran Pillai
8 ,, T. S. Jayantan Nampootiri	26 ,, V. Ramakrishna Panicker
9 ,, N. John Joseph	27 Rao Bahadur N. Ramanuja Aiyangar
10 ,, T. C. Joseph	28 Mr. P. G. Rama Varma Raja
11 ,, K. C. Karunakaran	29 ,, K. Sankaran
12 ,, T. T. Kesavan Sastri	30 ,, R. M. Statham
13 ,, K. M. Krishnan	31 ,, T. C. Thommen
14 ,, K. P. Krishna Menon	32 ,, G. B. E. Truscott
15 Rao Sahib Dr. N. Kunjan Pillai	
16 Mr. C. V. Kunjuraman	
17 ,, E. K. Kunjuraman	
18 ,, C. O. Madhavan	

NEUTRALS—12.

1 Mr. S. Chattanatha Karayalar	7 Mr. K. Mahomed
2 ,, A. Easwara Pillai (*Kottarakara*)	8 ,, K. A. Narayana Pillai
	9 ,, G. Nilakantan
3 ,, K. R. Elenkath	10 ,, Edavanatt S. Padmanabha Menon
4 ,, E. V. Krishna Pillai	
5 ,, K. M. Kuriakose	11 ,, V. K. Velappan Nair
6 ,, M. K. Madhavan Pillai	12 ,, T. P. Velayudhan Pillai

The amendment was declared lost.

The question that Clause 15 do form part of the Bill was put to vote and carried. The Clause was added to the Bill.

Clauses 16 and 17.

The question that Clauses 16 and 17 do from part of the Bill was then put put to vote and carried. The Clauses were added to the Bill.

Clause 18.

PRESIDENT: The next amendment stands in your name, Mr. Thanu Pillai.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I do not propose to move this amendment or any of my subsequent amendments.

PRESIDENT: I am now only at this amendment. I am certainly happy to have the pleasing news that you do not propose to move any more of your amendments.

MR. K. P. KRISHNA MENON (*Parur*): I move the following amendment:—

PRESIDENT: I must inform the House that Mr. Krishna Menon has put into my hands an amended from of the amendment which stands against his name on the Agenda paper and I think he will do well to read the amendment he is now moving.

MR. K. P. KRISHNA MENON (*Parur*): Substitute the following for Clause 18:

Amendment of Regulation IV of 1068. "18. In the Estates Rent Recovery Regulation, IV of 1068, the following amendments shall be made, namely:—

'(*a*) for Section 4, the following shall be substituted, namely:

'4. It shall be competent to the Chief to make assignments of waste lands, but such assignments shall be made in accordance with the law and rules for the time being in force for the assignment of Government lands so far as they are applicable and subject to the right, if any, of third parties. Such assignees shall have in respect of the lands assigned all the rights which similar assignees of Government lands acquire in respect of the Government land assigned.''

(*b*) the following shall be added as Sections 10, 11 and 12 respectively:

Unassessed lands treated as property of Government. '10 All unassessed lands within the limits of the Estates of Kilimanur and Edappalli shall be deemed to be the property of Government for the purposes of the Land Conservancy Regulation of 1091 (IV of 1091) and such of the provisions of the said Regulation as may be notified by Our Government in that behalf shall apply thereto subject to such Rules as may be prescribed.

"11. Our Government may, subject to such rules as may be prescribed, confer the powers of a Proverthikar or a Tahsildar under the Revenue Recovery Regulation, I of 1068, or of a Dewan Peishkar under the Land Conservancy Regulation of 1091 (IV of 1091) on any agent or servant of the Chief :

Powers of Peishkar etc., to be conferred on Chief's Agent.

Provided that the powers of a Tahsildar or a Dewan Peishkar shall not be conferred on the agent or servant unless he is a Government servant whose services have been lent to the Chief ; and

Provided also that the appeals and revisions available to the parties under the said Regulations against the orders or actions of a Tahsildar or a Dewan Peishkar shall lie, or shall be provided for by the Rules to lie, to an officer of Our Government in Our Government service.}

Explanation. Any right of civil suit available in respect of the orders or actions under the Revenue Recovery Regulation I of 1068 and the Land Conservancy Regulation of 1091 shall also be available to the parties.

12. The word "Chief" used in this Regulation means the senior male member or other member of the Kilimanur Kottaram or the Edappalli Swarupam, as the case may be, in whom the management of the family concerned is vested in law for the time being."

PRESIDENT : Well I suppose the amendment speakes for itself. It is lengthy enough.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : It has not been possible to follow all the intricacies of the amendment.

PRESIDENT : Of course, he will explain,

MR. K. P. KRISHNA MENON (*Parur*) : The need for moving this amendment is that Regulation IV of 1068 is neither clear enough nor sufficient to cover the class of lands comtemplated.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : It is not possible to follow the explanation without copies of the amendment being given to us.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : There is no substantial variation from what is printed in the agenda.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I beg to second the amendment. In fact the effect of the amendment would be to bring the condition of the estates of Kilimanur and Edappalli into line with the Estates of Poonjar and Vanjipuzha so far as the system of management that is proposed in the Bill is concerned. Government have taken power under this Bill to lend their officers and invest them with the powers of Tahsildars and Peishkars so far as Poonjar and Vanjipuzha are concerned. Similar powers, Mr. Krishna Menon says, may be granted to the other two settled Edavagais also.

So far as the introduction of the Land Conservancy Regulation is concerned, that is already provided by a clause at the foot. The effect of the amendment is to place all the four Edavagais under the same system so far as their management is concerned.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Mr. P. K. Narayana Pillai has correctly explained the amendment. I do not object to the amendment. The amendment proposes only that some of the provisions already passed by the House be applied to Edappalli andKilimanur.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I oppose the amendment on the ground that it has not been possible for us to know what the amendment exactly is or what its implications are. Unless a copy of the amendment is before us, I think, in spite of a very short explanation, it is impossible for us to give our assent to this amendment which may be very good or very bad. We are not able to scrutinise the amendment. We are not supplied with copies. It is therefore unfair to ask us to associate or dissociate from it at this stage. The courtesy to place a copy of this long amendment before us at least 5 minutes before it was moved was not shown to us. I therefore strongly oppose it on that ground.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is it a ground of the member that he could not understand the meaning?

MR. T. K. ALEXANDER (*Kunnatnad I*): I support Mr. Kunjukrishna Pillai and oppose the amendment on the same ground.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I question, again, Sir, is it the ground taken by Mr. Alexander that he did not understand the meaning or that he was not supplied with a copy of the amendment?

MR. T. K. ALEXANDER (*Kunnatnad I*): Both.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Mr. Krishna Menon read out the amendment sufficiently aloud.

MR. K. P. KRISHNA MENON (*Parur*): Most of the amendments are in the printed list.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I also oppose the amendment because I am not in a position to know what the nature of the amendment is. Copies were not supplied to us in time. So I oppose the amendment.

PRESIDENT: I shall, in this case, certainly help this House as far as I can. I shall, for your information, read out the amendment, which I suppose, no member will say, was not audible.

"For Clause 18 substitute the following :—

'18. In the Estates Rent Recovery Regulation IV of 1068, the following amendments shall be made, namely:—

(*a*) for Section 4, the following shall be substituted, namely:—

"4. It shall be competent to the Chief to make assignments of waste lands but such assignments shall be made in accordance with the law and rules for the time being in force for the assignment of Government lands so far as they are applicable and subject to the right, if any, of third parties. Such assignees shall have in respect of the lands assigned all the rights which similar assignees of Government lands acquire in respect of the Government land assigned."

(*b*) the following shall be added as Sections 10, 11 and 12 respectively.

"10. All unassessed lands within the limits of the Estates of Kilimanur and Edappalli shall be deemed to be the property of Government for the purposes of the Land Conservancy Regulation of 1091 (IV of 1091) and such of the provisions of the said Regulation as may be notified by Our Government in that behalf shall apply thereto subject to such Rules as may be prescribed.

11. Our Government may, subject to such rules as may be prescribed, confer the powers of a Proverthikar or a Tahsildar under the Revenue Recovery Regulation I of 1068, or of a Dewan Peishkar under the Land Conservancy Regulation of 1091 (IV of 1091) on any agent or servant of the Chief:

Provided that the powers of a Tahsildar or a Dewan Peishkar shall not be conferred on the agent or servant unless he is a Government servant whose services have been lent to the Chief: and

Provided also that the appeals and revisions available to the parties under the said Regulations against the orders or actions of a Tahsildar or a Dewan Peishkar shall lie, or shall be provided for by the Rules to lie, to an officer of Our Government in Our Government service.

Explanation. Any right of civil suit available in respect of the orders or actions under the Revenue Recovery Regulation I of 1068 and the Land Conservancy Regulation of 1091 (IV of 1091) shall also be available to the parties.

12. The word "Chief" used in this Regulation means the senior male member or other member of the Kilimanur Kottaram or the Edappalli Swarupam, as the case may be, in whom the management of the family concerned is vested in law for the time being".

I hope every member has heard it distinctly and clearly. Now I shall put that amendment to the House. The question is whether that amendment shall be accepted.

MR. PUTHUHALLI S. KRISHNA PILLAI (*Quilon II*): Sir, I rise to a point of order. After reading out the amendment to us, we have begun to see the dim outlines of it. We should be permitted to make one or two remarks.

PRESIDENT: I shall be glad to hear them.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): From what has been read out to us so kindly by the President, I have begun to understand that there is some complication not clearly understandable by us in the amended Section. We have been earnestly trying to follow the intricate provisions contained in it and it is only one or two points that we have been able to catch. This amendment has been brought forward by the Honourable member who comes from one of the Edavagais and curiously enough, contrary to the conduct of the learned Law Member in regard to all other amendments brought here, he has readily accepted this one. Therefore it is that I say that there is something which makes us think that there is in it something dangerous to the interests of the tenant.

PACODE A. NARAYANA PILLAI (*Vilavankod*): (*Hear, hear.*)

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): That is exactly my position. If this amendment were also opposed by the Law Member, as I have said, we would have been safe. The tenants' interest would not have been at stake; but where it is accepted by the Law Member, I think it is mainly intended to preserve the interest of the Chief. What exactly its nature is I am unable to say now. An expert body consisting of a large number of distinguished members of this House sat over this Bill for 17 full days and drafted all the various intricate provisions of this Regulation and it is curious that whatever point may be contained in this amendment escaped their attention. It was found later that there was this defect and the defect is now sought to be remedied by the learned

[Mr. Puthuppalli S. Krishna Pillai.]

Law Member. Sir, the Edappalli Chief and the Kilimanur Chief were both exempted from the operation of the rights conferred upon them by this amendment, either because at that time the Select Committee thought that those two Edavagais did not require this concession or because they thought it was not necessary for them. Something has transpired after that which has necessitated this amendment bringing into its trammels two innocent Edavagais that did not want anything of it.

That is why I submitted that there is something unusual about it. I would therefore plead as the last act of mercy, in favour of the innocent tenants whose cause we have been trying to advocate in this House, that you, Sir, in exercise of your powers as the President would allow some more time to consider dispassionately or, at any rate, calmly this amendment which would cover at least one page of printed sheet. After having supported the various amendments that were moved in favour of the tenants, our last plea in the cause of the tenants is that you, Sir, should do at least this.

MR. S. J. NAIR (*Nedumangad*): Sir, I support the amendment. I beg to state that the amendment sought to be added in the Bill is favourable to the tenants of Kilimanur and Edappalli.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the paper in his hand is a copy of the amendment moved?

MR. S. J. NAIR (*Nedumangad*): Yes, due to the courtesy of the mover of the amendment, I got a copy of the amendment. As stated in the amendment, I am compelled to say that the amendment is both in the interest of the Chiefs as well as the tenants. The amendment says :—

'18. In the Estates Rent Recovery Regulation IV of 1068, the following amendments shall be made............" and so on.

Under the circumstances, I strongly support the amendment.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, having been able to gather some vague idea of the amendment, from what you have been pleased to read to us——

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Sir, is the member in order? He has opposed the amendment once.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I gather from what you read to us that the Kilimanur and Edappalli tenants are also sought to be brought under the tentacles of this amendment. That is the sum and substance of it. There seems to have been no anxiety on the part of the Law Member or the member who has brought this amendment when the question of the interest of the tenants were sought to be upheld on various amendments to support their cause. It is said that this amendment is brought in the interests of the tenants of the Kilimanur and Edappalli Estates and also in the interests of the tenants of Vanjipuzha and Poonjar Chiefs.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether it is not advisable to have uniformity so far as all the Edavagais are concerned ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : The question of uniformity was raised on several occasions before. On all those occasions the Honourable member who now supports the amendment did not find his way to support them. He refused to give his assent to the idea of uniformity on those occasions. Now when it suits his convenience, he gives his assent to the uniformity. I can see why the member has raised that question now. One of the effects of the amendment, I gather, is that the tenants of Kilimanur and Edappalli also will be brought into these difficulties. I think it is a very serious punishment that is going to be inflicted upon a large majority of them. If there is any sense of self-respect in this House, this amendment should not be allowed. As my friend Mr. Puthupalli S. Krishna Pillai said, as the last act of mercy, the President should not allow to pass this clause in these circumstances. I wish to dissociate myself from all possible results that may come about by this amendment or the implications underlying it, which we are unable to understand now.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Sir, from what has been said about the way in which the amendment is sought to be introduced, it might give an impression that it is very dangerous to the interests of tenants. I may say for the information of the members who are -

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, I may bring to the notice of the House that copies of the amendments were circulated only to a section of the House.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : To say the least of it, it is not correct. I am very sorry for the insinuation indulged in by my friend. This clause seeks to safeguard the interests of the tenants not only of Edappalli and Kilimanur but other tenants also. The most important condition that is sought to be made is that the lands are treated as Sirkar lands and such lands are registered as Sirkar lands and the whole thing will be managed by Government servants lent for the purpose. That is what is contemplated by the provision we have now. That is why probably the mover of this amendment thinks that it is only fair to the tenants of Edappalli and Kilimanur, that no discrimination is shown in favour of the tenants of Vanjipuzha and Poonjar. Therefore, it is sought here to see that the position, status and rights of the tenants of Kilimanur and Edappalli are placed on a better footing than they are at present and their rights more carefully safeguarded. I do not think that there is need to read the contents of the amendment once again, but for the assurance of those who were not following I may say that it is not dangerous to tenants. I would request every member of this House to pass this amendment because it is to the interests of tenants.

PRESIDENT: As the Chair had already allowed the member to move his amendment and as we had already half an hour's discussion on its merits, I think it is too late to rule that the amendment is out of order. I will put the amendment to vote. Members can exercise their votes on its merits as they like.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether the official members have got the liberty of voting as they please with regard to this amendment?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Is there anything objectionable, Sir?

PRESIDENT: Official members have always their liberty to vote as they please.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): (*Hear, hear.*)

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am glad to have that assurance.

PRESIDENT: That assurance has already been known. It is not a new assurance.

The amendment being moved and seconded, the question is whether it stands part of the Bill.

The amendment was put to the vote of the House and carried.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

A poll was taken and the House divided as follows:—

AYES—31.

1	Mr. N. Abdur Rahiman Sahib	17	Mr. C. V. Kunjuraman
2	,, V. T. Chacko	18	,, E. K. Kunjuraman
3	,, Antony George	19	,, C. O. Madhavan
4	,, K. George	20	,, K. Madhavan
5	,, M. Mahomed Haneef	21	,, P. C. Narayanan Bhattatiripad
6	,, S. J. Nair	22	,, P. K. Narayana Pillai
7	,, T. S. Jayantan Namboothiri	23	,, R. Nilakanta Pillai
8	,, N. John Joseph	24	,, N. K. Padmanabha Pillai
9	,, T. C. Joseph	25	,, Kayalam Paramesvaran Pillai
10	,, K. C. Karunakaran	26	,, P. G. Rama Varma Raja
11	,, T. T. Kesavan Sastri	27	Rao Bahadur N. Ramanuja Aiyangar
12	,, K. M. Krishnan	28	Mr. K. Sankaran
13	,, K. P. Krishna Menon	29	,, R. M. Statham
14	,, Pottayil S. Krishna Panickar	30	,, T. C. Thommen
15	,, E. V. Krishna Pillai	31	,, G. B. E. Truscott
16	Rao Sahib Dr. N. Kunjan Pillai		

NOES.—17.

1	Mr. T. K. Alexander	8	Mr. K. Kunjukrishna Pillai
2	,, S. Chattanatha Karayalar	9	,, M. K. Madhavan Pillai
3	,, A. Easwara Pillai (*Kalkulam II*)	10	,, K. Mahomed
4	,, A. Easwara Pillai (*Kottarakara*)	11	,, K. A. Narayana Pillai
5	,, N. Govinda Menon	12	,, Pacode A. Narayana Pillai
6	,, N. K. Krishna Pillai	13	,, S. Nilakanta Pillai
7	,, Puthupalli S. Krishna Pillai	14	,, Kainikkara M Padmanbha Pillai
		15	,, V. Ramakrishna Panickar
		16	,, S. Thiraviam Nadar
		17	,, N. E. Varughese

NEUTRALS.—10.

1	Mr. K. C. Abraham	7	Rao Sahib S. Paramesvara Aiyar
2	,, K. R. Elenkath	8	Mr. R. Raman Pillai
3	,, T. Krishna Pillai	9	,, V. K. Velappan Nair
4	,, K. M. Kuriakose	10	,, T P. Velayudhan Pillai
5	,, G. Nilakantan		
6	,, K. Padmanabhan		

The question that Clause 18 as amended do stand part of the Bill was then put to vote and carried. The Clause as amended was added to the Bill.

New Clause.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I move the following amendment:—

Insert the following as Section 19 :- -

"Each of the Edavagais shall pay to Our Government ten per cent. of the amount collected by it as rent and *melvaram*."

MR. KAYALAM K. PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I rise to a point of order. The scope of the Bill is to settle things as between the Chief and the tenant. What is proposed by this amendment is a settlement as between Government on the one hand and the Chief on the other, that the Chief should pay a particular amount to the Government. The object of this Bill is only the settlement as between the Chief and his tenant. Therefore this amendment is not within the scope of this Bill.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): The object of the amendment is to provide a compensation or to provide an amount to Government for doing all the work of the Edavagais. It is also a safeguard in the interests of the tenant who will have to pay this rent and *melvaram*, because Government can utilise the amount thus realised for works of public utility in those localities. So there is nothing inconsistent with the objects of the Bill; and, Sir, I contend that the amendment is quite in order.

PRESIDENT: As the Law Member has very significantly pointed out, the main object of this new measure is merely to settle certain aspects of the relations which exist between the landlord on the one

[President.]

hand and his tenant on the other. Government, I think, comes into this picture only for the purpose of discharging certain duties which have been imposed upon it in the interests of the tenants. By this new amendment, it wishes to introduce what might be called a sort of fiscal measure to decide what amount Government should receive from the Chief in return for the labour that may be involved in working the provisions of this Bill. That is to say, it would add to the revenues of the territory to that extent. That, I fear, impinges on the fiscal relationship which subsists between the landlord and his tenant on the one hand and the Government on the other. I do not think that the intention of this measure is that the relationship should be defined. The relation that is sought to be defined is merely between the Chief and the tenant. Government do not come into that picture. Therefore it was by a side-issue we should now try to impose a sort of obligation which did not exist before and that as a fiscal nature. Perhaps according to the Act, such a measure requires the previous sanction of the Dewan. For these reasons, I think there is an objection in admitting that particular clause.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) That is only in case where expenses are to be incurred.

PRESIDENT : I cannot recall to my mind the exact expression used in that connection. I am no more a lawyer to remember all the provisions of the Act. I think the words used are "affecting the revenues of the country". This certainly affects the revenues of the country. It is not a question quite free from doubt. Therefore I am very sorry not to admit an amendment like the one proposed by Mr. Kunjukrishna Pillai without being perfectly satisfied that it does not offend the existing provisions of the Act and without being quite certain that it comes within the four corners of the Bill as originally drafted. For these reasons, I am afraid I have to rule it out of order.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I shall now proceed to the third Reading of the Travancore Edavagai Bill.

I beg to move that the Bill as amended be passed.

MR. R. M. STATHAM (*Director of Public Instruction*) : I second it.

PRESIDENT : Moved and seconded that the Travancore Edavagai Bill be passed into law.

MR. K. KUNJUKRISHNA PILLAI (*Quilon*) : Sir, I move that the House do now adjourn and that the Bill be taken up and passed in another Session. In other words, I oppose the motion for the third Reading.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Under what Standing Order, Sir, does he move the adjournment ?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Even without quoting the Standing Order, we can oppose the motion for the third Reading.

PRESIDENT: Well, those who are in favour of the Bill being passed into law will please signify by show of hands.

The motion that the Bill be passed was put to vote and carried.

PRESIDENT: I think I must apologise to the members for having kept them so late, perhaps later than usual. Every one will realise that there was need for it.

The House will now adjourn and meet again on Friday at 11 A. M.

The House adjourned at 6-20 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

PROCEEDINGS

of

THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

FIRST ASSEMBLY

SECOND SESSION.

Friday, the 25th May 1934/12th Edavam 1109.

The Assembly met again in the Victoria Jubilee Town Hall at Eleven of the clock, the President presiding.

QUESTIONS AND ANSWERS.

Temple—Entry Committee.

211.* **MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state :

(*a*) whether the Temple—Entry Committee has submitted its final Report,

(*b*) when the said Report would be published ;

(*c*) whether the members of the Legislature would be supplied with copies of the said Report ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Published on 21-4-1934.

(*c*) No.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know why copies of the Report of the Temple—Entry Committee were not supplied to the members of the Legislature ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Only a limited number of copies have been printed and they are not sufficient to be distributed among the members of the Assembly and Council.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether Government intend to supply copies of the Report of the Temple-Entry Committee to the members of the Sri Mulam Assembly ?

G. P T. 1652—350 30-11-1109

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It has not been finally decided.

MR. K. R. ELENKATH (*Kalkulam I*): May I know how many copies have been printed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): 250.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know why the question whether copies of the Report should be supplied to the members of the Legislature has not been decided before deciding the number of copies to be printed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government first thought that distribution of copies to members of the Legislature was not necessary. They may, however, reconsider the question; and if it is decided to distribute copies, more copies will be printed. The present decision is that copies need not be supplied to the members of the Legislature and hence it has been ordered to print only 250 copies.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know why Government arrived at that decision different from the reports of the Committees that have been appointed till now?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know what are the special reasons that weigh with Government in the matter of supply of copies of reports? What is the comparison between this Report and the reports of other committees?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There is one special reason I can think of. Most of the other reports were placed before the Legislature for discussion, while Government do not propose to place this Report before the Assembly and the Council for discussion.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Does the member say that all reports of Committees were supplied to the members?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I think most of the reports came up for discussion in one form or another whether they were placed before the House or not.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know whether Government are considering the proposals contained in the Report?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, they are.

MR. M. N. NAIR (*Kottayam I*): May I know whether copies are available for sale?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, a few copies are available.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Is the member aware that Devaswoms are, though subject to conditions, under the purview of the Assembly?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Under certain circumstances they are under the purview of the Assembly, but not under all circumstances.

Consideration by the Legislature of the Temple—Entry Committee Report.

212. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state whether the Report of the Temple—Entry Committee would come up for discussion and deliberation in the Assembly and the Council?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Report of the Temple—Entry Committee could be placed for discussion and deliberation before a joint session of the Hindu members of the Assembly and the Council?

RAO SAHIB DR. N. KUNJAN PILLAI. (*Chief Secretary to Government*): As far as I know, it will not be.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Committee have recommended the institution of a *Parishad* for determining the question and whether any decision has been arrived at by Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, but no decision has been made.

MR. S. J. NAIR (*Nedumangad*): May I know whether the so-called *Parishad* has any hold upon the Hindu community in the State?

PRESIDENT: That does not arise.

MR. S. J. NAIR (*Nedumangad*): May I know whether any *Parishad* exists as it is in the State?

PRESIDENT: I am afraid we are now going into the contents of the Report, although it is not before the House.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know the reasons that actuated Government not to place the Report before the Assembly for discussion?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I am unable to disclose the reasons. I think there is a section in the Regulation which says that subjects relating to Devaswoms can be brought up for discussion only with the permission of the Dewan. The Dewan has decided that the Report should not be placed before the House for discussion.

Expenditure on the Temple-Entry Committee.

213. *MR KAINIKKARA M. PADMANABHA PILLAI (*Changanach ry I*): Will the Government be pleased to state:

(a) when the Temple-Entry Committee submitted its report to the Government;

(b) when appointing the Committee, what estimate the Government had made of its probable expenditure and

(c) the sum that has been actually spent on it?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*)

(a) 9th Medam 1109.

(b) Rs. 8,832.

(c) Rs. 10,001-20-12 till the end of Meenam 1109.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): I put the same question in the Karkatakam session of the Assembly. I was given an answer that the expenditure was Rs. 17,000. Now I am given a different answer.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The answer supplied then is not before me now. Evidently, there is a mistake somewhere.

Trivandrum Electric Supply.

214 *MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Will the Government be pleased to state:

(a) the voltage at which electric lights and electric fans are supplied in Trivandrum:

(b) whether any variation occurs in this voltage;

(c) if so, between what limits

(d) whether the earth wires, support wires, etc., are being regularly tested for leakage; and

(e) if so, at what intervals and by what means?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (a) 230 A. C.

(b) Yes.

(c) Plus or minus 5 per cent.

(d) They are tested periodically.

(e) At least twice a month and resistance tests are carried out by Drop of Potential method or by Bridge Megger.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): In answer to part (b), may I know the cause for this variation?

MR. T. C, THOMMEN (*Ag. Secretary to Government*): I am not able to explain, Sir.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I do not want an explanation. What is the cause of variation?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): In answer to part (e), may I know what is the mechanism used for testing the leakage?

MR. T. C THOMMEN (*Ag. Secretary to Government*): Two mechanisms are mentioned, Drop of Potential method or Bridge Megger.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) ; I have asked the question by what means ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : By means of these two instruments.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I do not want an answer for the methods employed. I want to know the mechanism used for making this experiment.

MR. T. C. THOMMEN (*Ag. Secretary to Government*) ; I have answered it, Sir.

Accidents due to electric shock.

215. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*) : Will the Government be pleased to state :

(*a*) the number of deaths caused by shocks received from the town electric lighting mains since the introduction of electric supply in the town ;

(*b*) whether the Electrical Chief Engineer has investigated the cause of any accident :

(*c*) if so, the result of his investigation and

(*d*) if not, why he did not investigate the causes of these accidents ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : (*a*) Two.

(*b*) Yes.

(*c*) In the first case, the death was due to the victim working on live line in spite of warning not to do so, and in the second case to the victim touching a stay wire which was made live by leakage.

(*d*) In view of the answer to (*c*), this does not arise.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government have got information only about two cases of death in the town by electric shock ?

PRESIDENT : That is obvious. The answer says that Government have information only about this. You can draw your own inference from that.

Personal Assistant to the Electrical Engineer.

216. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*) ; Will the Government be pleased to state ;

(*a*) when the appointment of a Personal Assistant to the Electrical Engineer was recommended to, and when it was sanctioned by, the Government

(*b*) whether the State Council or the Sri Mulam Assembly was holding its session during that period ;

(*c*) whether any fund was provided in the Budget for the appointment ;

(*d*) if the answer to part (*c*) is in the negative, the reasons for the same ;

(*e*) whether the person appointed for the place was in Travancore service prior to such appointment and, if so, the period of his service in Travancore and

f the steps taken by the Government in the matter of this appointment ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) No such appointment was recommended to and sanctioned by Government. But what was actually sanctioned was an Assistant Electrical Engineer.

(*b*) The State Council was then holding its session.

(*c*) Yes,—*vide* item II Pallivasal Hydro-Electric Project (*a*) Office, Appendix J, page xlii.

(*d*) In view of the answer to part (*c*), this does not arise.

(*e*) No.

(*f*) None.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഈ ആളിനെ നിയമിക്കുന്നതിനു മുമ്പ് ഈ നിയമനത്തെ സംബന്ധിച്ചു വല്ല പ്രസിദ്ധീകരണവും നടത്തിയിരുന്നോ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*). ഇല്ലായിരുന്നു.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : അങ്ങിനെ പ്രസിദ്ധീകരണം നടത്താതെ ഈ ആളിനെത്തന്നെ നിയമിക്കുന്നതിനു വിശേഷിച്ചു വല്ല കാരണവുമുണ്ടായിരുന്നോ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : വേറെ അപേക്ഷകന്മാരുണ്ടോ എന്നന്വേഷിച്ചിട്ടില്ല എല്ലാ ഉദ്യോഗങ്ങൾക്കും ആളുകളെ നിയമിക്കാറുള്ളതു്.

Trivandrum Drainage Scheme.

217. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state :

(*a*) the total estimated cost of the drainage works in Trivandrum ;

(*b*) whether it was not possible to undertake the drainage work along with the water works ; and

(*c*) the approximate additional expenditure to be incurred on account of the drainage work being taken up independently ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) As the scheme is still under investigation, it is not possible to give an idea as to its cost.

(*b*) Yes, provided the necessary additional staff and funds were forthcoming. But the water works were considered the more urgent of the two and funds made available therefor.

(*c*) This is not likely to be considerable, as only such staff as was absolutely necessary for efficiently carrying out the water works scheme alone was employed. If the drainage scheme had also to be done along with it, additional staff and funds would have been necessary.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): In answer to part (*a*), may I know whether Government do not think it necessary to call for a provisional estimate ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): The time for calling for a provisional estimate has not arrived.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government are going to do drainage work for the areas supplied with water?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Investigations are being carried on and when they are complete, an estimate will be called for, but not at present.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know at what stage the investigation is at present?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

The Drainage Engineer.

218. ✻**MR K KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state:

(*a*) how long it is since Mr. S. Ramachandran, B. E., M. E., is put in charge of the drainage works;

(*b*) the work that he has been doing from the date he took charge as Drainage Engineer;

(*c*) whether there is any record kept for the work done;

(*d*) whether the Chief Engineer or any other officer has called for the record of work; and

(*e*) whether they will be pleased to lay it on the table?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) He is in full charge from 9-10-1933, though he was in additional charge from 17-3-1933.

(*b*), (*c*), (*d*) and (*e*). *A record of the work done by him so far is placed on the table.

The Drainage Section.

219. ✻**MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state the establishment charge of the drainage section, including Mr. S. Ramachandran's pay, acting allowance and conveyance allowance?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Rs. 1,273 per mensem.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know how long it is since he has been in this new office?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): That is a new question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the Chief Engineer the total sum till now spent on the drainage section?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know from the member the total sum till now spent on the establishment charges alone?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

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* *Vide* Appendix—I

Selection of Mr. S. Ramachandran as Drainage Engineer.

220. *MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Will the Government be pleased to state:

(*a*) whether Mr. S. Ramachandran has got any degree in drainage or sanitary engineering;

(*b*) whether he has got any previous experience in sanitary or drainage works;

(*c*) whether he has been in independent charge of any important original works;

(*d*) the considerations which weighed with Government in selecting him for this work; and

(*e*) whether there is a proposal to send Mr. Ramachandran to some parts of British India to study drainage work?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) No.

(*b*) Yes.

(*c*) No, but officers of the grade of Mr. S. Ramachandran are not generally put in independent charge of any important original work, unless a special Sub-division or Division is sanctioned for the purpose.

(*d*) His experience in sanitary and drainage works.

(*e*) There is no such proposal at present.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) May I know from the member with regard to the answer to part (*b*), whether he has experience in sanitary and drainage work in foreign countries?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): How long?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

MR. K. R. ELENKATH (*Kalkulam I*): With reference to part (*c*), may I know whether the Government considers this work as an important original drainage work?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): It is only an investigation.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether, after this investigation, the same officer will be put in charge of this work?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): That does not arise, since the proposed work is only an investigation.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know from the member whether Government have requisitioned the services of an Engineer from outside in connection with the investigation of the drainage scheme?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): There is a proposal to be made.

MR. A. THANU PILLAI (*Trivandrum Rural*): May I know what necessitated that since a Special Officer has been appointed?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): It will depend upon the report of the Special Officer.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : May I know whether the Special Officer has made any report on this ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : The Special Officer has not made any report.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : May I know what the Special Officer is to do ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : The Special Officer is simply employed to investigate.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Am I to understand that the investigation is not to be followed by a report ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : The result of the investigation will first be considered.

MR. A. THANU PILLAI (*Trivandrum Rural*) : May I know, Sir whether the officer from outside will also submit to Government a report ? Is it the idea ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : Expert opinion will be got from him independent of the report from the Special Officer.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Am I to take it, Sir that the report of the Special Officer, whether submitted or not, will not be considered by Government ?

MR G. B. E. TRUSCOTT (*Chief Engineer*) : It is only an investigation.

PRESIDENT : So far as I understand the Chief Engineer, the investigation would be merely a collection of material to enable the expert officer to frame his report on the scheme.

MR. A. THANU PILLAI (*Trivandrum Rural*) : May I know what would be the approximate cost of securing this expert opinion ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : It will depend upon what the person whom we select is asked to do.

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Sir, I wish to know what it will cost Government to get the expert opinion and what the Government propose to do with the opinion.

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : I claim notice, Sir.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : With reference to the answer to part (*b*), may I know whether this particular officer has any practical experience anywhere in sanitary or drainage work ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : The answer has already been given.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : It is not definitely stated whether he has practical or theoretical knowledge in drainage work anywhere.

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : I ask for notice.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : It was stated by the Chief Engineer that he had absolutely no idea as to how long a period

[Mr. E. V. Krishna Pillai-]

he was gathering the experience in foreign countries. I wish to know whether it is 10 years or 12 years, whether the Chief Engineer can give me a vaguely approximate idea. If he could have given that answer, I would not have put the question. Then it is said, as answer to part (a), that Mr. Ramachandran has no particular qualification in Drainage or sanitary engineering; and under the circumstances, may I know why he alone was chosen from the Department to be in charge of the work?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): It has been explained.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): My view is that it has not been explained by the member. I am entitled to get an answer from the member why, of all others, he alone had been chosen for the work?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): He was considered the man most suitable.

MR E. V. KRISHNA PILLAI (*Pattanamtitta*): Is it a definite answer given by the Chief Engineer? May I know whether he has a list of applications for the post?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know whether the Chief Engineer can tell me whether there were any applicants from Travancore service for this post?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

MR. E. V KRISHNA PILLAI (*Pattanamtitta*): I wish to know whether this officer is provided with an assistant for drainage work.

MR. G. B. E. TRUSCOTT (*Chief Engineer*): What do you mean by assistant? Assistant with engineering qualification? This is only an investigation and not carrying out the scheme.

Resident Medical Officers.

221. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state;

(a) the number of hospitals, in the State, where there are Resident Medical Officers;

(b) the names of the present Resident Medical Officers in the state and

(c) the term for which each of them was serving as Resident Medical officer?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (a) 5.

(b) and (c).

Name of officer.	*Name of Institution.*	*Date of taking charge as Resident Medical Officer.*
Assistant Surgeon S. Christian ...	General Hospital	9-10-1108
Do. Miss Achy Iype.	Women & Children's Hospital, Taikad	15-8-1108
Do. A. E. John ...	District Hospital, Quilon	19-6-1109
Do. T.K. Kuruvila...	Do. Alleppey	19-3-1106
Do. T. Marcus ...	Do. Kottayam	4-4-1106

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) · May I know with regard to answer to part (*c*), the number of years of service for these people?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I have given the dates on which these officers took charge, in answer to parts (*b*) and (*c*).

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether this House Surgeon has any allowance for this post?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I am not sure. I claim notice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, Sir, who makes this choice of House Surgeon?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The Head of the Department.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Is it the Durbar Physician in company with his Deputy?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The Durbar Physician, I think.

Death due to electric shock.

222. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state:

(*a*) whether one Mr. P. G. Krishna Pillai, motor car cleaner, Royal Stables, Trivandrum, died of electric shock recently;

(*b*) if so, when it took place;

(*c*) whether it was caused by touching the support wire to an iron post in the premises of the Royal Stables;

(*d*) the time when he got the shock;

(*e*) whether any first aid was given to him at the spot;

(*f*) if so, the name of the person who gave it;

(*g*) whether Mr. P.G. Krishna Pillai was taken to any hospital;

(*h*) if so, to which hospital;

(*i*) the name of the doctor who attended on him;

(*j*) the time when he was taken to the hospital: and

(*k*) the time when he was admitted into the hospital?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : (*a*) Yes.

(*b*) 22-6-1109/4.2-1934.

(*c*) Yes.

(*d*) 8·30 A. M.

(*e*) Yes.

(*f*) The staff of the Royal Stables.

(*g*) Yes.

(*h*) The General Hospital, Trivandrum,

(*i*) Dr. Jacob Thaliath M. B and B. S., (Bombay), F. R. C. S. (London), and Dr. S. Christian L. M. and S.

(*j*) At about 8·45 A. M.

(*k*) He was not admitted into the hospital as he was found to be dead when he was taken to the hospital.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know, Sir, whether this case is included in the two casualties, referred to by Government, by electric shock ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Yes. This is one of the cases referred to.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know, Sir, whether he was given any first aid when he got the shock at the Royal Stables ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : What was the nature of the first aid ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : I claim notice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know from the member whether there is any first aid cars belonging to the Electric Department ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member with reference to part (*i*) what is meant by saying that so and so attended on him when he was taken to the hospital, when it is said that he was dead on the way before he reached the hospital ?

PRESIDENT : They found him dead.

Electric supply service connection to the Royal Stables.

223. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state :

(*a*) how the support wire to the iron post in the premises of the Royal Stables, by touching which one Mr. P. G. Krishna Pillai died of electric shock, got charged ;

(*b*) whether the service connection to the Royal Stables was taken from the supply lines connected to that post :

(*c*) what type of insulation and protection was provided for the service connection from the post to the main switch-board at the Stables ;

(*d*) whether any insulating tube-ends or bushes have been used for the service connections ;

(*e*) whether it is not necessary to have such bushes inserted at the ends of conduit pipes through which cables are taken; and

(*f*) whether or not such precaution is taken in the wiring of the Kowdiyar Palace?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) The support wire was live due to leakage of current.

(*b*) Yes.

(*c*) The service lines are taken from the post by properly insulated shackles. The service lines are of lead covered V. I. R., extra protection being afforded by effective earthing.

(*d*) No.

(*e*) Yes, when conduit pipes are used.

(*f*) The question does not arise as the service in this case is by means of underground cable.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, Sir, whether the Electric Department repaired the leakage in the Royal Stables some time before?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I claim notice, Sir.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, Sir, whether ordinarily this lead-casing is the protection given to lines, to cables or iron tubes, used for conducting the cables?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): I do not follow. I claim notice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether it is not likely that the casing in these lines is likely to be damaged, owing to weather?

PRESIDENT: It is only a matter of opinion.

Complaints against the Midwife, Anna Mathew, in the Women and Children's Hospital, Taikad.

224. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be plased to state:

(*a*) whether there is a midwife by name Anna Mathew in the Women and Children's Hospital, Taikad;

(*b*) whether there were complaints against her by the patients or the relatives of patients;

(*c*) whether she has received any kind of departmental punishment for her conduct towards patients;

(*d*) whether she is a Roman Catholic;

(*e*) whether she told one Mr. K. R. Das (Aloomood, Statue Road) that he is a sinner, and that he is suffering so much, because he an L. M. S. Christian, married a Roman Catholic girl; and

(*f*) whether midwife Anna Mathew scolded the patient E. Ponnamma in the presence of other midwives, when Ponnamma cried aloud on account of pain on the 17th, 18th or 19th December 1933?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Yes.

(*b*) Yes.

(*c*) Yes. The correspondence is treated as confidential.

(*d*) No.

(*e*) and (*f*) It was so alleged in a petition presented by Mr. K. R. Das.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government has taken any action on this subordinate?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes. The answer is there in part (*c*).

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): What is the punishment meted out?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It is confidential, Sir.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether it is already meted out?

RAO SAHIB DR. N. KUNJAN PILLAI ((*Chief Secretary to Government*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government expect the punishment to be kept confidential even after it has been meted out?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have treated it as confidential.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know the reason for that?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have decided like that.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know whether a written explanation was taken from the officer concerned before he was punished?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The Darbar Physician reports that he has taken statements; they may be oral or written.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): With reference to the answer to part (*e*), may I know whether any evidence was taken on the allegations contained in the petition referred to in part (*e*) of the question?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The petition was sent to the Darbar Physcian. He enquired into the complaints and submitted his report.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know whether the Government were satisfied that the allegations hinted in part (*e*) were true?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief S cretary to Government*): The Darbar Physician has reported that the petition is true in its main aspects.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Am I to understand that the Darbar Physicians's report did not specifically refer to the various allegations contained in the petition?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): He has not made any specific statement about all the allegations.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Am I to understand that the Government did not consider the allegations contained in the petition serious enough for evidence to be taken?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government were satisfied with the report of the Darbar Physician, and acted accordingly.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Am I to understand that the Government have informed the person whom they have punished that she should not give out the punishment meted out to her?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government have treated the correspondence as confidential; the letter sent to the Darbar Physician was marked confidential; and Government take it that the communication sent to the officer concerned must also have been marked confidential.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Do not the Government think that, if the other subordinates of the department come to know of the punishment, it would serve as an object lesson to them?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government were alive to that aspect of the question; and still, in this case, they decided to treat the whole matter as confidential.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know the circumstances which induced the Government to keep the punishment confidential?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): On a consideration of all aspects of the case, Government decided like that.

PRESIDENT: The position of Government is that the whole case has been treated as confidential and not the punishment alone.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Am I right in taking it that the Chief Secretary said that the punishment meted out to the midwife could not be communicated to this House?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

PRESIDENT: As part of the case.

MR. A. THANU PILLAI (*Trivandrum-Rural*): When the case has been disposed of, what is the circumstance that induced Government to consider the punishment as so very confidential as not to be divulged to the members of this House?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I may also say, Sir, that Government have received, since they decided the question, representations from the officers concerned and the matter may have to be reconsidered in the light of these representations.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I take it that the Government are now satisfied that they have been in the wrong?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Far from it. When an officer is punished or is not given his due promotion, he usually sends in revision petitions and memorials for a reconsideration of his case. In such cases, even after a decision has been arrived at, Government may reconsider the original decision if any fresh facts are brought to light.

PRESIDENT: Members should not import their own inferences. All that the Government member said was that, although the Government have decided the case and awarded punishments as they considered fit, it has again come up before them in that those who were punished have submitted memorials and that the matter is therefore receiving their consideration once more. That does not mean that the Government have felt that they were wrong.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether there have been other cases of similar confidential punishments in the past?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. M. SIVATANU PILLAI (*Vocala*): May I know at least the kind of punishment, fine, suspension, warning, etc.? (*Laughter.*)

PRESIDENT: I do not think that you can succeed, Mr. Sivatanu Pillai. The Government member has already told you that he cannot disclose what the punishment is.

Complaints against the authorities of the Women and Children's Hospital, Trivandrum.

225. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state:

(*a*) whether petitions from Mr. K. R. Das, ('Aloomood, Statue Road,') Trivandrum, complaining against the authorities of the Women and Children's Hospital, Taikad, Trivandrum were received by—

(i) the Dewan,
(ii) the Chief Secretary to Government, and
(iii) the Darbar Physician

in December 1933 or after that:

(*b*) if so, whether any action has been taken on that; and

(*c*) if not, why not?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Yes.

(*b*) Yes.

(*c*) In view of the answer to part (*b*) this does not arise.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know the allegations contained in the petitions?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, this is practically a part of the previous question. As I have repeatedly stated, Government treat the whole case as confidential; and I do not think that I will be justified in disclosing the contents of the petitions.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I want only the allegations in the petitions certainly the petitions cannot be said to be confidential I think they have been published.

PRESIDENT: The parties might have published them. But Government treat them as confidential.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am not asking for any information about the case. I want only the chief allegations in the petition.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There is another question coming up later on as to whether Government will place the petitions on the table; and Government propose to give a negative answer to that question. I do not think therefore that I can now disclose the contents of the petitions.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Can a subsequent question be anticipated in answering a question?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I say the allegations contained in the petitions cannot be disclosed.

PRESIDENT: The Government member was just referring to the answer to another question.

MR. M. SIVATANU PILLAI (*Tovala*): With reference to part (*b*), may I know what action was taken on the matter?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government enquired into the allegations and meted out such punishment as they deemed necessary.

MR. M. SIVATANU PILLAI (*Tovala*): May I ask whether the enquiry was conducted by the Darbar Physician?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the Darbar Physician investigated into the matter in accordance with the rules?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It must be presumed that he did so.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the parties concerned were allowed to examine each other?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether any written statements were recorded?

PRESIDENT: That question has already been answered.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know the names of the officers against whom allegations were made in the petition?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I have stated more than once that the whole case is treated as confidential. I cannot therefore answer this question.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether any notice of suit has been received by Government in regard to this matter?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I am not quite sure about it. It may have been received.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether the Darbar Physician submitted first an interim report and then a final report?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether some of the conclusions in the interim report were modified in the final report?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Reports of Heads of Departments are confidential.

PRESIDENT: Question No. 226.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know———

PRESIDENT: I have called the next question.

Complaints against the authorities of the Women and Children's Hospital, Trivandrum.

226. ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state whether the Darbar Physician has been asked by Government to enquire into the allegations contained in the petitions submitted by one Mr. K. R. Das, (Aloommood, Statue Road) to the Chief Secretary to Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the Government gave any direction to the Darbar Physician in regard to the conduct of the enquiry?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): He was asked to enquire and submit a report; no special direction was given.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government thought it advisable to be satisfied with an enquiry by the Darbar Physician alone?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I do not follow the question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government consider that a mere departmental enquiry by the Darbar Physician alone would be sufficient?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): That was what the Government thought.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the Darbar Physician is an expert in maternity matters?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know whether Government gave any endorsement or reply to the petitioner to the effect that his petition has been forwarded to the Darbar Physician and that he must await the result?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I do not think so.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Am I to take it that he has not received any reply whatsoever?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I do not know whether the Darbar Physician has sent him a reply. Government have not sent him any reply.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Did the Government issue any instruction to the Darbar Physician asking him to give a reply to the petitioner?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Did the Government suggest to the Darbar Physician that it would be desirable to give a hearing to the petitioner?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The Government did not make any such suggestion to the Darbar Physician; he was asked to enquire into the whole matter and submit a report.

Women and Children's Hospital, Trivandrum.

227. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether there are complaints in the Women and Children's Hospital, Trivandrum, about the absence of proper attendance to the in-patients;

(*b*) whether one Srimathi Ponnamma, a Christian lady, was admitted in the Maternity Ward of the above hospital on the 16th December 1933 for a delivery case;

(*c*) whether there was any complaint or agitation in the Press that the above-mentioned patient was not properly attended to;

(*d*) whether the patient was removed to the Septic Ward from the Maternity Ward;

(*e*) whether the patient was operated upon; and

(*f*) whether the patient survived the operation or succumbed in the operation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : (*a*) There was recently a complaint from one Mr. K. R. Das.

(*b*) The member evidently refers to an incident on the 17th December 1933.

(*c*) Yes.

(*d*) Yes.

(*e*) Yes.

(*f*) She was operated upon at 2-30 P. M. on 4-5-1109, but died at 6 A. M. on the following day.

MR. S. J. NAIR (*Nedumangad*) : May I know why the patient who was first admitted into the Maternity Ward was subsequently transferred to the Septic Ward ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : On the evening of the 17th December the patient was admitted into the Maternity Ward. The next morning it was found that septic conditions had set in ; and so she was removed to the Septic Ward.

MR. S. J. NAIR (*Nedumangad*) : May I know whether, after she was admitted into the Maternity Ward, she was attended to by the medical officer concerned ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Yes.

MR. S. J. NAIR (*Nedumangad*) : May I know the name of the lady medical officer who attended on the patient ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Miss Chellamma, I think.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know who operated upon the patient ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The Surgeon in charge of the hospital.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know whether any relation of the patient was let in either before the operation or after the operation before her death ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Yes.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know whether it was her husband ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Yes.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : May I know whether it was at the instance of any officer in charge of the hospital that he was given admittance ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I claim notice .

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : When did the operation take place ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : At 2-30 P. M. on 4-5-1109.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know, Sir, whether the Surgeon in charge came to the hospital in the car of a relation of this patient ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I claim notice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know, Sir, whether, in view of the fact that it was a septic case, an operation was advisable ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : That was what the Surgeon decided.

PRESIDENT : The Government member cannot sit in judgment over the operation conducted by a medical officer.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether opinion will be taken on this point from an expert as to the propriety of the operation ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : They have already got the opinion of the Darbar Physician who must be considered to be an expert. But if Government think it necessary to take any further expert advice, they may do so. I cannot commit Government to any definite course of action at present.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know, Sir, whether Government have any objection to place this matter in the hands of Mr. Lakshmanaswami Mudaliyar, who is the Superintendent in the Maternity Hospital, Madras, and get his opinion ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) On a point of order. The member is not asking for information but is giving a suggestion.

PRESIDENT : I am afraid that that question cannot be allowed.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know from the member who attended this patient in the hospital ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The Doctor in charge at the time.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know the name of the particular Doctor ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Miss Chellamma.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know, Sir, who transferred her to the Maternity Ward ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The Doctor who was in attendance at the time.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know the name of that particular Doctor ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know the names of the particular Doctors who were in charge of different wards at the time ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Sir, I cannot answer that question. There are several Doctors, to each of whom is assigned a certain number of wards and I cannot say which Doctor was in charge of a particular ward.

MR. K. PADMANABHAN (*Chirayinkil I*). May I know from the member whether the Surgeon in charge received any remuneration from the patient ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member whether that remuneration has been ordered to be refunded?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

Malpractice in the Women and Children's Hospital, Taikad.

228. ***MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*) : Will the Government be pleased to state :

(*a*) whether any case of medical malpractice was reported to them in regard to in-patients admitted to the Women's Hospital at Taikad ;

(*b*) if so, whether the question was investigated ; and

(*c*) what is the result of the investigation ; if any ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) (*a*), (*b*) and (*c*) It is not possible to furnish the information required by the member, as no period has been specified.

Death of an in-patient in the Women and Children's Hospital.

229. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*) : Will the Government be pleased to state :

(*a*) whether the Chief Secretary has received a memorial dated 8th January 1934 from one K. R. Das praying for an inquiry into the circumstances in which his wife, Ponnamma, died in the Women and Children's Hospital on 20-12-1933 and the conduct of some of the Doctors and Midwives attending upon that patient ;

(*b*) whether a copy of the same would be laid on the table ; and

(*c*) whether any action has been taken on the same ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) ;

(*a*) Yes.

(*b*) No.

(*c*) Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): With regard to the answer to part (*c*), may I know what action has been taken ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I have answered it already, Sir. I have said that the answer is confidential.

PRESIDENT: This question has been repeated and repeated in the course of the few questions that were asked on this matter.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I beg to submit a point for the consideration of the Chair. It has been ruled on the first day of the meeting that it is the Chair that has to decide whether when a question is asked the reply called for is confidential. Here we have been hearing a number of allegations most scandalous to the State against a particular department and responsible officers in that department and in this representative institution members are asking for certain information. Even the punishment that is meted out to the culprits is withheld as confidential. I request the Chair to see that the prestige of the Assembly is established by asking the Government members to give proper answers.

PRESIDENT: The Chair has already given that undertaking and it will certainly investigate into the matter. Before we re-assemble, the Chair may come to some decision on the matter.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know from the member under what provision of the Legislative Council Rules or Standing Orders the answer is withheld?

PRESIDENT: I have already promised to look into the matter.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know from the member the names of the particular individuals on whom action was taken?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I think I cannot disclose the names until the Chair directs otherwise.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know from the member whether the punishment offered to the various individuals falls within the four walls of the recognised forms of punishment?

RAO SAHIB DR N. KUNJAN PILLAI (*Chief Secretary to Government*): If the Honourable member will define the four walls of the recognised forms of punishment, I will be able to answer the question.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): There are fines imposed—

MR. M. SIVATANU PILLAI (*Tovala*): On a point of order, whether the member can be allowed to enumerate all the forms of punishment.

PRESIDENT: Mr. Krishna Pillai, you cannot ask the member to specify the nature of the punishment when so long we have been under the impression that the punishment has been treated as confidential.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): May I know whether the known forms of punishment fines, suspension, dismissal, compulsory retirement, taking of leave preparatory to retirement-were meted out in this instance? I want to know whether the punishment awarded was within or without these recognised forms—for instance were they kicked or lynched or were they let off without any punishment. If the former, I do not want an answer.

PRESIDENT: I am afraid the question has not been put in proper form. It is not in keeping with the dignity of the House that a member should be permitted to ask whether a subordinate was lynched, and I overrule it.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*) : I beg your pardon, Sir, and I withdraw the statement. I may submit that I stated these forms of punishment because I was asked to define what the four walls of the recognised forms of punishment are.

PRESIDENT : That of course is alright. But you cannot go further than that.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Either any one or more of these forms of punishment, Sir.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : May I know from the Government member whether they have considered this case as fit to be taken up for enquiry under the Departmental Enquiries Regulation ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

Complaints against the staff of the Women and Children's Hospital.

230. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleesed to state :

(*a*) whether the Dewan has received a memorial dated 13-3-1934 from one K. R. Das regarding the necessity to conduct an efficient and impartial inquiry into the conduct of some of the Doctors of the Women and Children's Hospital in the treatment of the wife of the memorialist;

(*b*) whether a copy of that memorial would be placed on the table ; and

(*c*) whether any action has been taken on the same ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) :

(*a*) Yes.

(*b*) No.

(*c*) Yes.

MR K. PADMANABHAN (*Chirayinkil I*) : With reference to part (*c*), may I know whether the action taken was in accordance with the rules prescribed by the T, S. R ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I do not think there is anything in the T. S. R. prescribing the punishment to be inflicted on the subordinate officers.

MR. K. PADMANABHAN (*Chirayinkil I*) : To the question whether any action has been taken on the same the Honourable member said 'yes'. I would like to know whether the action taken is in accordance with the rules prescribed for such by the T. S. R.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Sir, there are no rules prescribed in the T. S R. for taking action on this particular matter.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know from the Honourable member whether the T. S. R. does not make it obligatory on the officers investigating such matters to obtain explanations ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) I do not think that the T. S. R. contains such rules.

Circuiting work of Dr. Noble, Deputy Darbar Physician.

231. *****MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state:

(*a*) the number of days on which Dr. Noble, Deputy Darbar Physician was on circuit from 1-9-1108 to 1-9-1109 and

(*b*) the expenditure incurred during this period for his travelling allowance and batta?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) (*a*) and (*b*) A statement furnishing the required information is laid on the table.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): On a point of order, Sir. I did not ask for a statement.

PRESIDENT; That question was raised before and the Chair said that it will look into this matter also. This is one other matter on which the House has thrown the responsibility on my shoulders.

Seniority of Anchal Masters.

232. *****MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether the seniority of clerks and Anchal Masters in the Anchal Department is determined according to the date on which the required security is furnished: and

(*b*) whether it is a fact that, when persons who were the Masters of Non-Departmental Anchal Offices, are appointed in acting places, they are placed as senior to the acting men because the new men have given securities when they were appointed as Non-Departmental Anchal Masters?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) No.

(*b*) Yes.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): With regard to the answer to part (*b*), may I know whether, when the masters of Non-Departmental Anchal Offices deposit their securities, it is intended to appoint them as permanent Government servants?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Non-Departmental Anchal Masters are required to deposit securities.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know why when they are appointed as Anchal Masters in Departmental Offices their seniority is calculated from the date of security?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Because it happens that the securities are with the Government.

* *Vide* Appendix II.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the period during which they have acted will also be added on to their service?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): No.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether there has been any exception to this?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) I claim notice.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether the Government takes the trouble of enquiring from the applicant whether he is prepared to deposit a security even when he is appointed as an acting man?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Even acting men have to furnish security.

Acting Inspectors of Police.

233. †**MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to lay on the table a statement containing the names, total service in the department, and service in the present grade, of the acting Inspectors of Police in the Trivandrum District?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): A *statement furnishing the information is laid on the table With the permission of the Chair, I may say that No. 1 in the list died the day before yesterday.

Assistant Vaidyans in the Ayurveda Department.

234. †**K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to lay on the table:

(*a*) a statement giving the periods during which and the posts, acting or permanent, which Miss Bhagavathi (a *Vaidyakalanidhi* woman belonging to the Araya community) held in the Ayurveda Department; and

(*b*) a statement giving the names of persons appointed as Assistant *Vaidyans*, ever since the first entertainment of Miss Bhagavathi above referred to, together with the date and period of appointment in each case?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) (*a*) and (*b*) The required *statements are laid on the table.

†*Vide* Appendix III.
**Vide* Appendix IV.

Ayurveda Pharmacy accounts.

235. *MR. K. PADMANABHAN (*Chirayinkil I*) : Will the Government be pleased to state with dates how many times the accounts of the Ayurveda Pharmacy have been checked by the present officer in charge of the institution or his subordinates ever since he assumed charge ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : It is reported that the accounts of the Pharmacy were checked eleven times by the Principal since his assumption of the charge of the institution. The dates of checking are given below :

31-9-1107;
30-12-1107;
1-5-1108;
7-5-1108;
30-8-1108;
31-9-1108;
31-12-1108;
30-3-1109;
29-6-1109; and
30-7-1109.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know, Sir, whether the Government tried to ascertain whether the report is true ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The Government must certainly take it that the report submitted by the officer is true.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know, Sir, whether the Account Officer has prescribed any rules in regard to the checking of accounts ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Rules are prescribed in the Account Code.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know from the member whether, according to the rules, the accounts are to be checked twice in a month ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I claim notice, Sir.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know, Sir, whether Government have tried to find out whether the Principal has conformed to the rules ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : Unless the contrary is proved, Government presume that the rules are being acted up to.

PRESIDENT : It is now 12. Questions and answers will stop at this stage and the remaining questions will be taken up tomorrow.

Appendix I.

(*Vide* Question No. 218.)

Resume of work done after formation of the Drainage office.

1. Orgainsing a new office, including recruitment of staff, equipment, furniture, etc.

2. Purchase of village maps, ordnance maps etc., of the town and vicinity.

3. Collection of detailed census, house to house, of Trivandrum.

4. Preparation of working estimates, calling for quotations, recommending contract to Chief Engineer for sanction and placing order for survey instruments.

5. Taking longitudinal section and fixing gauges and observing them in the following main drainage channels of the town, Killiar river, Thampanur channel, Kuriyathi channel, Thekkanamkara channel, Kannanmoola stream, etc.

6. Checking the B. M's in Trivandrum Town connected to M. S. L. and fixing additional B. M's for the purpose of survey work.

7. Preparing a detailed map of the Town showing the effect of floods in May 1933 and marking on it the H. W. L.

8. Taking Plane Table Surveys to a big scale with full details of buildings and levels of road junctions, court yards of house etc., in the low-lying parts of Trivandrum. Work in the Fort, Srikanteswaram, part of Vanchiyur and Palkulangara has been completed, while work in Chalai Bazaar, Thampanur, Vazhuthacaud and Vellayambalam is in progress.

9. Taking L and C. S. of the Kannanmoola stream below the Kannanmoola bridge and the Killiar river below Iranimuttam up to the Veli and Karamanai Bars respectively is in progress.

10. Collection of automatic Rain Gauge charts and studying the intensities and plotting them for design of storm water drainage.

11. Searching for and collecting files, plans, etc., in the Chief Engineer's office connected with previous Drainage Investigations.

12. Preparation of plans for survey work referred to above and taking copies of same where required for further work.

Appendix II.

(*Vide* Question No. 231.)

Statement regarding the circuiting work of Dr. Nobl·.

Year.	Month.	Number of days on circuit.	Amount of T. A. Rs.	Ch.	C.	Remarks.
1108 M. E.	Medam	17	510	18	3	
Do.	Edavam	9	204	27	14	
Do.	Mithunam	16	351	13	3	
Do.	Karkatakam	15	359	17	7	
1109 M. E.	Chingom	11	265	23	5	
Do.	Kanni	13	329	13	5	
Do.	Thulam	13	355	4	13	
Do.	Vrischikam	12	297	19	0	
Do.	Dhanu	12	282	17	13	
Do.	Makaram	12	307	15	6	Claimed but not yet drawn.
Do.	Kumbhom	16	408	15	6	
Do	Meenam	12	322	27	6	
	Total	158	3,996	17	1	

Appendix III.

(*Vide* Question No. 233.)

Statement containing the names, total service in the Department and service in the present grade of acting Inspectors of Police in Trivandrum District.

Name.	Total service in the Department.			Service in the present grade (1st Gr. H. C.)		
	Yr.	M.	D.	Yr.	M.	D.
1. P. Govinda Pillai, 1st Gr. H. C. No. 25 & Ag. Inspector of Police, Nedumangad.	26	...	28	17	5	28
2. K. Raman Pillai, 1st Gr. H. C. No. 166 & Ag. Inspector of Police, Warkala.	33	11	11	14	6	21

Appendix IV.

(*Vide* Question No. 234)

The periods of appointment of Sry. L. Bhagavathi.

Designation of post.	*Period of acting.*	*Date of confirmation or of permanent appointment.*
1. Nurse	29-12-1103 to 15-10-1105	16-10-1105
2. Assistant Vaidyan, Ayurveda Hospital	9-5-1108 to 18-5-1108	
3. Do. Pharmacy	4-7-1109 to 4-8-1109	
4. Additional Assistant Vaidyan, Ayurveda Pharmacy	5-8-1109 on probation for six months.	

Appendix IV.—(*contd.*)

Statement of persons appointed as Assistant Vaidyan since the entertainment of Sry. L. Bhagavathi.

Name of Vaidyan.	Designation of post.	Period of acting.	Date of confirmation or of permanent appointment.
1. K. Gangadharan	Assistant Vaidyan, Ayurveda Hospital	1-2-1104 to 20-2-1104	
	Do.	5-8-1105 to 4-9-1105	
	Do.	11-5-1106 to 10-6-1106	
	Do. Do. Pharmacy	11-6-1106 to 29-7-1106	
	Do. Do. Hospital	2-9-1106 to 31-9-1106	
	Do. Do. Pharmacy	6-10-1106 to 25-10-1106	
	Do. Do. Hospital	14-12-1106 to 31-1-1107	
	Do.	1-6-1107 to 31-10-1107	
	Do.	16-12-1107 to 31-12-1107	
	Addl. Do.		15-2-1108
2. K. A. Raghavan Pillai	Assistant Vaidyan, Ayurveda Pharmacy	7-4-1108 to 15-5-1108	
	Do. Hospital	2-6-1108 to 24-9-1108	
	Do. Pharmacy	6-10-1108 to 18-14-1108	
	Do. Do.	20-1-1109 to 15-2-1109	
	Do. Hospital	16-2-1109 to 14-3-1109	
	Additional Assistant Vaidyan, Ayurveda Hospital		15-3-1109
3. C. K. Kumaran	Assistant Vaidyan, Ayurveda Hospital	13-4-1109 to 10-6-1109	Died.
4. G. R. Bhaskara Menon	Do.	Acting from 12-7-1109	

ADJOURNMENT MOTION.

PRESIDENT : Well, I may inform the House that a notice for adjournment of the House has been received from Mr. N. E. Varughese It reads asfollows —

> "I beg leave to move the adjournment of the business of the House to discussa a definite matter of urgent public importance, *viz.*, the situation created by the great deficiency, brought about by incorrect statistics being made the basis of calculation, for quota of rubber allowed to be exported from Travancore, according to the recent Rubber Restriction Scheme."

Has the Government member anything to say to it ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Government have no objection to the admissibility of the motion.

PRESIDENT: Those who are for the motion being allowed will please rise in their seats.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I wish to point out to the Chair that members need rise in their seats only if objection is taken to the motion before the House. But when no objection is taken, the Chair has got the discretion to allow the motion.

PRESIDENT: Since I would like to know the desire of the House without having to exercise my discretion, I would ask the members to rise in their seats to signify their assent to leave being given to the motion.

More than 20 members stood up in their seats and the motion was allowed, discussion to begin at 3-30 P. M.

PRESIDENT: Before I take up the next item in the agenda, I have to inform the House that it is proposed to adjourn the business of the House today at 12-45, *viz.*, 15 minutes before the usual hour, for the purpose of enabling the Muslim members of the House to perform their prayers of Friday which, as the House may know, is a sacred day for the community. It is their Sabbath day. It also happens that you have a Muslim President. But the time allowed will be the same 45 minutes. The House will rise at 12-45 and re-assemble at 1-30 P. M.

DEMANDS FOR SUPPLEMENTARY GRANTS.

PRESIDENT: The next item in the Agenda is Demands for Supplementary Grants.

MEDICAL DEPARTMENT.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, I move for a grant not exceeding Rs. 2,000 under Demand Medical. Sir, the object of this Demand is to provide pipe connection between the Science College and the General Hospital for the supply of gas to the Hospital. Gas is now being manufactured in the gas tank within the Fort and is being supplied to the Science College. The Darbar Physician brought to the notice of Government the desirability of supplying gas to the General Hospital also. Gas is required for various purposes. Each ward is now given a stove and it is used for heating purposes. Recently a clinical laboratory has also been started in the General Hospital. Those who are in any way familiar with the work that is done in laboratories will admit the necessity of having gas for heating purposes in a laboratory. No doubt you can in a way manage with stoves, but it is very unsatisfactory. If you can get gas, that is the very best for heating purposes in a laboratory. The Darbar Physician has brought this necessity to the notice of Government; and without any large outlay it is possible to supply gas to the hospital and the clinical laboratory. All that is necessary is to lay pipes from the Science College to the General Hospital and the esti-

mate for that work is about Rs. 2,000. It is just for this purpose that I have come to the House with this Supplementary Demand for Rs. 2,000. I hope the Honourable members will be convinced of the necessity of supplying gas to the hospital and the laboratory and will pass my motion.

PRESIDENT : There are a number of token motions on the agenda which relate to the supplementary demands before the House. I considered the question very carefully and I have framed a ruling on that point and I shall read that to the House.

The motions in the Agenda, given notice of in respect of the Demands for Supplementary Grant, are motions for token cuts. A token cut, as distinct from an economy cut or specific cut, is intended to raise a debate on a policy of the Department to which the Demand relates. The necessity for such a cut arises for this reason. In the annual Budget Demands placed before the House, there are both votable items and non-votable items. If the House disapproves of the policy underlying a votable item, it can of course throw out the entire item. But policy relates to the votable and non-votable items, and as the House cannot deal with the non-votable items, it cannot effectuate its vote on a question of policy by throwing out any non-votable item concerned. Therefore it is the usual convention and practice in Parliamentary bodies to move what is called a "token cut" motion to raise a debate on policy. But such motions, *i. e.*, the token motions, can be permitted only if they are relevant to the main question, namely, the Demand for Grant. In the annual Budget Demands, as the entire subject is placed before the House and discussed, it is considered that the entire policy of the Department is before the House and therefore it is held that token motions are relevant motions in the annual Budget debates. But the same can scarcely be said when what is placed before the House is only a supplementary or additional estimate under Rule 77. Such an estimate is presented only when—

> "(a) the amount voted in the Budget of a grant for which the vote of the Legislature is necessary is found to be insufficient for the purpose of the current year or
>
> "(b) a need arises during the current year for expenditure for which the vote of the Legislature is necessary upon some new service not contemplated in the Budget for that year."

Thus the estimate is presented and the Demand is made for some specific purpose. The necessity of that purpose and even the policy underlying that purpose or the policy that has a strict bearing on that purpose, if any, is no doubt open to discussion. But the Legislature cannot go beyond the four corners of that purpose and raise a debate on the general policy of the Department. That will be irrelevant, because the whole Department is not before it. And therefore there is no occasion for a token motion. If the Legislature disapproves of the policy underlying or necessarily related to the purpose for which the Demand is made, it can throw out the Demand. For, as the whole Demand is placed before it for its vote, it can reach the whole Demand

[President.]
and it is not thus in the position of being unable (as in the case of the annual Budget Estimates) to reach any item in the estimates presented to it and therefore there is no occasion for a token motion when supplementary or additional estimates are presented. It is all a question of relevancy. In the annual Budget debates, the token motion is relevant: in the debates on supplementary estimates, it is not relevant. The rule is the same for both the annual Budget debate and the debate on supplementary or additional estimates, and that rule is the rule of relevancy.

It does not appear that token motions are allowed in the Indian Legislative Assembly when Demands for supplementary grants are moved and the Chair understands that, in Travancore too, it is not allowed, though there were exceptions.

The Chair has considered the whole matter and has decided to rule that token motions are irrelevant and inadmissible on Demands for supplementary grants, though, of course, the policy underlying or necessarily related to the purpose for which the Demand is made may be discussed on the main question, while supporting or opposing it-

Therefore the question before the House is whether the Demand of Rs. 2,000 for Medical Department should be granted or not.

MR. S. J. NAIR (*Nedumangad*): Sir, I rise to oppose the motion before the House, *viz.*, the Demand for Rs. 2,000 for putting up a pipe connection from the Science College to the General Hospital, Trivandrum, for the supply of coal gas for heating purposes, for the reason that today in many parts of Travancore people, I mean, patients are actually suffering a lot in the hospitals and dispensaries. There are no medicines in these hospitals to treat the patients. At a time when the people are suffering and when the Medical Officers cannot treat the patients who attend the hospitals due to the absence of the supply of medicine to the dispensaries, Sir, here is a demand requesting this Legislature to grant Rs. 2,000 to supply coal gas for heating purposes—

MR. K. R. ELENKATH (*Kalkulam*): May I know from the member—

PRESIDENT: Let him please complete his sentence. I have already warned Honourable members in my opening speech that interruptions should be as few as possible. Members should have a reasonable sympathy for the speaker. If he is interrupted, he may be out of his balance. Let him finish his sentence; and if you want any information you can have it afterwards.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): If he loses his balance will it not be more sympathetic if he is stopped before he proceeds further?

PRESIDENT: No, no. I want to hear the complete sentence.

MR. S. J. NAIR (*Nedumangad*): The supply of medicine is more important in the interest as well as the safety of the people than the supply of coal gas for heating purposes in the General Hospital.

PRESIDENT : What is your question, Mr. Elenkath ?

MR. K. R. ELENKATH (*Kalkulam I*) ; May I know whether this amount of Rs. 2,000 will materially affect the supply of the medicine ?

MR. S. J. NAIR (*Nedumangad*) : It is said by the Government side that there are stoves in the General Hospital for the purpose of heating and the fund of Rs. 2,000 is an additional amount required for the purpose of heating. Certainly it will necessarily affect the source of medical supply.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Does the member mean to say that the same amount will be utilised for distributing medicines to the various dispensaries and hospitals throughout the State ?

MR. S. J. NAIR (*Nedumangad*) : This is my request to Government. I want that this amount must be utilised for the supply of medicine in dispensaries and hospitals in the mofussil.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member the name of the medicine for Rs. 2,000 that could be distributed to all the dispensaries and hospitals throughout the State ?

MR. S. J. NAIR (*Nedumangad*) : Sir, my friend can get the proper name of the medicines from the Darbar Physician. Mofussil Doctors have already reported to the Darbar Physician about the shortage of medicine and the need for supply of medicine in those hospitals.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Sir, before the member is allowed to proceed, I wish to get a definite ruling from the Chair in view of the observations made by the Chair in regard to the token cut. When a supplementary grant is asked for, is the member in order in criticising a particular policy of the Department as in the way in which it has been done now ? If the member had shown that this particular amount could have been more usefully utilised for some other purpose, he would have been alright. But in the way in which he now proceeds, can he be allowed to proceed further ?

PRESIDENT : That goes out of the field covered by the token motion. He should say that this Rs. 2,000 should either be sanctioned or not. He should try to show that Rs. 2,000 could better be utilised for improvements in the General Hospital. On this point the member has got a right to speak. But I allowed the speaker a little leniency because he is the author of a motion and I have ruled out the cut motion altogether. I wanted to be a little lenient to him, and I will be lenient to all Honourable members. But the only question that could be raised is that this Rs. 2,000 shall not be granted or that Rs. 2,000 required for coal gas for heating purposes is out of all proportion to the General Hospital. To that extent he will be quite in order. But to say that improvements should be made in a hospital at Quilon or another at Alleppey is ruled out completely. It is not relevant.

MR. S. J. NAIR (*Nedumangad*): In this connection, I beg your permission, Sir, to bring to the notice of the authorities concerned the apathy or rather the indifference on the part of Medical Officers towards the patients who attend hospitals for treatment.

PRESIDENT: Is the member referring to the General Hospital?

MR. S. J. NAIR (*Nedumangad*): Of course, to the General Hospital and the Women's Hospital.

PRESIDENT: Please confine yourself to the General Hospital alone.

MR. S. J. NAIR (*Nedumangad*): Even with regard to the General Hospital, the Darbar Physician is not giving proper attention with regard to the complaints that are being raised from various parts of the State. It may be from the patients or their guardians. Sir, the attendance and the management in the General Hospital under the Darbar Physician and the Medical Officer who is in charge of that hospital in giving scanty attention to the patients is highly objectionable.

PRESIDENT: How can that attention be improved if Rs. 2,000 is not sanctioned?

MR. S. J. NAIR (*Nedumangad*): It could be utilised for the better control and for the better administration of the Medical Department.

MR. K. R. ELENKATH (*Kalkulam I*): If this amount is given as an allowance to the officers, cannot the position be improved?

MR. S. J. NAIR (*Nedumangad*): A small body from the Legislature, I mean, members from among the elected members of the Legislature, could be formed as a committee to have some sort of inspection over the affairs of the General Hospital.

PRESIDENT: And the sum spent as T. A. and allowance. (*Laughter*).

MR. S. J. NAIR (*Nedumangad*): I know some members may laugh. But those members who have been attending to the volume of questions that came from the non-official side during the time of interpellation this morning with regard to the undesirability of the administration on the part of the medical authorities in the State, Sir,—

PRESIDENT: The volume of questions came with regard to the Women's Hospital and not with regard to the General Hospital.

MR. S. J. NAIR (*Nedumangad*): The Darbar Physician being in sole charge of the administration of the General Hospital as well as the Medical Department, I alluded.—

PRESIDENT: I will allow the discussion on matters relating to the General Hospital but everything else is irrelevant.

MR. S. J. NAIR (*Nedumangad*): Even with regard to the routine maintenance in the General Hospital, it is unnecessary. There are various Medical Officers quite useless for the purpose who could very well be sent out into the mofussil to be in charge of dispensaries and hospitals there.

MR. K. R. ELENKATH (*Kalkulam I*): Does the member think that the souls of the people in mofussil are inferior to those of the people in towns?

MR. S. J. NAIR (*Nedumangad*): Sir, I do not speak about the "souls" of any one—I mean of the people in Trivandrum City. Our lives are very cheap when compared to the lives of the people in towns. That could be seen from the money that is lavishly spent for the convenience and comforts of the people living in towns.

PRESIDENT : Let us come back to the discussion on the General Hospital.

MR. S. J. NAIR (*Nedumangad*): In the face of the existence o unncessary staff in the General Hospital and the fact that there is a heating apparatus in the General Hospital, I oppose the motion.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, I oppose the demand. The general public revenues of the State are intended to be utilised for certain specific purposes, purposes which ought to serve the public demand. For the maintenance and up-keep of the Medical Department, a large sum of money is being yearly set apart and the Medical Department in 1109 has come in for its legitimate share. My humble opinion is that no further grant should be made to the Medical Department for this reason, that we are not getting the full value of the money that has already been allotted. If any further amount is allotted to the Medical Department, it will be a further waste of public money. Hospitals are intended for giving redress to the people of the State, for giving medical aid to the people, and if those institutions do not function properly, or work to the satisfaction of the Government and the people, it becomes a pernicious institution and any further encouragement to one or other of such institutions is highly objectionable. It was once moved in this House that there is no necessity whatsoever for two Deputy Darbar Physicians.

PRESIDENT : It is out of order. We are not now considering the merits or demerits of the existence of two Deputy Darbar Physicians. We are now considering the implications underlying the Government asking for a grant of Rs. 2,000 for a specific purpose, for the supply of coal gas for heating purposes in the General Hospital.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I was pointing out how some funds could be saved for the Medical Department. The suggestion has not been accepted and acted upon by Government. If that was done, there would not have been any necessity for this supplementary grant.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I know from the member whether, if this fund had been available, Government could have spent it without taking the sanction of the Assembly ?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): There is the appropriation statement. Government have got the power to appropriate available funds in cases of urgency.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Could not the amount be spent and a statement laid on the table of the House when it next meets ?

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Yes, that could be done. I am saying that the Medical Department could have saved some amount and utilised it for this purpose. Government ought to have saved some funds and utilised it for this purpose.

The second reason is that, if the Medical Department does not give us the full benefit which it ought to, what is the necessity for spending further amount? It may be the General Hospital or it may be the Women and Children's Hospital or any other hospital.

If things are not properly managed and controlled, the introduction of coal gas in the General Hospital would be a dangerous thing.

PRESIDENT: The member need not have any fear about that.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): That is what I apprehend. If things that are taking place elsewhere are to take place in the General Hospital, the introduction of coal gas is a dangerous element. I have sufficiently indicated the nature of my objection. I do not wish to dilate on that point any further.

It is no doubt necessary that one of the major medical institutions in the State should be well supplied with all the necessary instruments and accessories. That I can understand, provided Government would assure the House that the full benefit would be conferred on the general public by the utilisation of these funds. Then I would most willingly withdraw my opposition.

MR. N. E. VARUGHESE (*Tiruvalla I*) സർ, ഞാൻ ഈ ധനാഭ്യർത്ഥനയെ എതിർക്കുന്നു. ഈ തുക ജനറൽ ആശുപത്രിക്കാവശ്യമുണ്ടെന്ന് ആദ്യമെതന്നെ ഈ സഭയെ ധരിപ്പിക്കേണ്ടതായിരുന്നു. ബഡ്ജറ്റിൽ മെഡിക്കൽ ഡിപ്പാർട്ടുമെൻറിലേക്കു ഈ കൊല്ലത്തേക്കാവശ്യമുള്ള തുകകൾ ചേർത്തു അതിവിടെ ഹാജരാക്കുകയും സഭ അതംഗീകരിക്കയും ചെയ്തപ്പോൾ ഈ ആണ്ടത്തെ ആവശ്യംമുഴുവനും നിർവഹിക്കത്തക്കവണ്ണമുള്ള തുകകൾ അതിലുണ്ടായിരുന്നു എന്നാണ് വിചാരിക്കേണ്ടത്. ഇപ്പോൾ ഒരു പ്രത്യേകകാരണം പറഞ്ഞു കൂടുതൽതുക വേണമെന്നാണ് ആവശ്യപ്പെടുന്നത്. ഈതുക അനുവദിച്ചില്ലെങ്കിൽ ജനറൽ ആശുപത്രി തന്നെ മുടങ്ങിപ്പോകുമെന്നോ അല്ലെങ്കിൽ രോഗികളെല്ലാം മരിച്ചുപോകുമെന്നോ അല്ലെങ്കിൽ രോഗശുശ്രൂഷണത്തിനു സാധിക്കാതെ വരുമെന്നോ കാണിച്ചാൽ പിന്നെയും ഇതനുവദിച്ചുകൊടുക്കാമായിരുന്നു. അങ്ങിനെയുള്ള ആവശ്യങ്ങളൊന്നുംതന്നെ വന്നിട്ടില്ല. ഇപ്പോൾ ആവശ്യപ്പെടുന്നതു ഒരു വെറും ലക്ഷ്വറി (luxury) ക്കായി മാത്രമാണ്. വരവു ധാരാളമുണ്ടെങ്കിൽ ഇതും അനുവദിച്ചുകൊടുക്കാമായിരുന്നു. ഈ തുക അനുവദിക്കുന്നതിനുമുമ്പായി ഈരാജ്യത്തെ ആകമാനമുള്ള പ്രജകളുടെ സ്ഥിതി എന്താണ്? ഇവിടത്തെ ഖജനാവിലെ സ്ഥിതി എങ്ങിനെയാണ്

എന്നൊക്കെ സഭ പര്യാലോചിക്കേണ്ടതാണ്. ൫,൦൦൦ രൂപാ എന്നുള്ളതു ഒരു അല്പസംഖ്യയാണെന്നു ഗവൺമെന്റിനു തോന്നിയേക്കുമായിരിക്കാം. എന്നാൽ പബ്ലിക്കിനു ഈ തുകകൊണ്ടു ഇതിനെക്കാൾ അത്യാവശ്യമായ പല കാര്യങ്ങളും സാധിക്കാം. ജനറൽ ആശുപത്രിയിൽ കോൾഗ്യാസ്കൊണ്ടുതന്നെ വെള്ളം ചൂടാക്കണമെന്നുള്ള സംഗതി അത്രഅത്യാവശ്യവുമല്ല. ആ സ്ഥിതിക്കും ഇപ്പോഴത്തെ അധഃപതനത്തിന്റെ സ്ഥിതിക്കും ഇങ്ങനെയുള്ള ധാരാളത്വം മാതൃകയായി ഗവൺമെന്റു കാണിക്കുന്നതു് ഒരിക്കലും ബുദ്ധിപൂർവ്വമായിട്ടുള്ളതല്ല. ഇന്നിതനുവദിച്ചുകൊടുത്താൽ നാളെയും ഇതുപോലെയുള്ള ധനാഭ്യർത്ഥനകൾ ധാരാളമായി കൊണ്ടുവരും. അതും അനുവദിച്ചുകൊടുക്കേണ്ടതായി വന്നുകൂടും.

തിരുവിതാംകൂറിലെ ജനങ്ങൾ ആകമാനം ദാരിദ്ര്യത്തിൽ അകപ്പെട്ടു കഷ്ടപ്പെടുകയാണ്. അതുകൊണ്ടും ഈ തുക അനുവദിക്കരുതെന്നാണ് എന്റെ അഭിപ്രായം.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I rise to oppose the Demand on a short ground. This is not an item that was provided for in the Budget or the amount provided for it has been insufficient. This is not a case in which the official member has come for a supplementary demand which was found insufficient on a demand that has been already granted by this House. Then the question to be considered is whether this demand that arises in the middle of the year is a demand that cannot wait till the next Budget. The supplementary demands can be allowed, Sir, strictly only under one or other of these heads namely,

> "The amount voted in the Budget of a grant for which the vote of the Legislature is necessary is found to be insufficient for the purpose of the current year, or
>
> a need arises during the current year for expenditure for which the vote of the Legislature is necessary upon some new service not contemplated in the Budget for that year."

I do not think this is a matter that cannot afford to wait till the next Budget and to get the provision passed by this House then. I oppose it on the ground that this is not a demand which was provided in the Budget and for which, due to insufficiency of funds, the official member has now come for a supplementary grant.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I oppose the demand for the wrong principle that underlies it. As my friend Mr. Kunjukrishna Pillai said, this is not a demand that is contemplated under Rule 77 (*a*) and (*b*). That Rule lays down the circumstances under which such a demand can be brought by the Government. The Rule says:

> "(*a*) The amount voted in the Budget of a grant for which the vote of the Legislature is necessary is found to be insufficient for the purpose of the current year, or
>
> (*b*) A need arises during the current year for expenditure for which the vote of the Legislature is necessary upon some new service not contemplated in the Budget for that year."

MR. M. SIVATANU PILLAI (*Torala*): Am I to understand that the member is raising a point of order? It is seen he is referring to the Standing Orders.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): It is part of my argument, Sir.

Now, Sir, I read out Rule 77 (*a*) and (*b*). This particular grant does not come under any of these clauses. It has been ruled by the Chair that the general policy of the Department cannot be discussed in a supplementary demand. It is the wrong principle that underlies such a demand that is brought to the notice of Government. That shows the Government have scant courtesy for the opinions expressed in this House. As my friend referred to in his speech, this is not a question that arose all on a sudden in the middle of the year. The rainy season is only approaching and the necessity for heating very quickly does not arise now. I cannot understand why, at the fag end of the financial year, when we have only a month for the Budget, the Head of the Department could develop such a desire for too much of heat. Therefore I oppose the demand.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I shall answer the points raised by the last two speakers since they alone are relevant. The urgent necessity for gas arose only in the course of the year. As I said in my opening remarks, gas is required for heating purposes, but the necessity for it is more urgent for the clinical laboratory which has been started only very recently than for the hospital. When the budget for the current year was prepared, there was no clinical laboratory. A man was sent for training, but he returned only recently and the laboratory has just been started. The necessity for gas in the laboratory, I think, will be admitted by one and all in this House. It is very inconvenient to boil water over a stove, more so over an ordinary oven. I think it was Mr. Varughese who said that coal gas is a luxury. Then even stoves may be considered a luxury. In that case everything in these days may be a luxury. Mr, Varughese may perhaps go further and say, why not use in the wards and in the laboratory the ordinary oven that we use in our homes. Imagine for a moment how it would be a practical proposition in the General Hospital and in the laboratory. The urgent necessity for gas really arose in the course of the year, *i. e.*, long after the Budget for the current year was passed. As I said, the laboratory can ill afford to be without gas for various purposes. The Darbar Physician brought the matter to the notice of Government. They were convinced of the necessity and have therefore come to the House for a small grant of Rs. 2,000 for this important and urgent purpose. The other points relating to the general administration of the Medical Department, which were raised in the course of the discussion, do not call for any remarks.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Cannot this urgent necessity wait for two months to be included in the annual Budget?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The earlier gas is supplied to the laboratory the better. The Darbar Physician thought it necessary to move Government and Government thought it advisable to ask for this grant immediately. The necessity for gas is very urgent. If you do not allow the grant, the work in the laboratory will have to be carried on for two or three months on the present crude method.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know what is the immediate purpose of the coal gas?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): It is required for various purposes. I do not want to give a lecture on the subject. There is real necessity for gas in the laboratory. I hope the House will have no objection to the expenditure on this account.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know whether, if this grant is withheld, the work in the laboratory will be considerably affected?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, the work will suffer seriously. The laboratory will not work satisfactorily at all. You must also remember that a man specially trained for this work is now here and has to be paid by Government whether he has work or not.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) As a matter of convenience, may I know whether Government cannot wait for a month or two more and include this item in the next year's Budget?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, it is a matter of necessity and not convenience.

PRESIDENT: The official member has already pointed out that a man was specially sent for being trained. Now he has come after training. He must be given special work for the salary that is paid to him. If this is going to wait for three months, it means the laboratory will have no work for that time, and the trained man will have to sit quiet and the money spent on him will be a waste. Then the only question is whether this Rs. 2,000 can be saved. Well, that is not going to be saved. I suppose the House has to consider whether this expenditure should wait even after the explanation given by the official member. If we are not going to lose anything, we can wait. But if something is going to be lost, it would be against the economic policy to wait and waste and agree to the waste of the time of the man concerned, functioning in the laboratory and so on and so forth. However, that is for the House to decide.

The motion before the House is whether Rs. 2,000 for the supply of coal gas be granted.

The motion was put to vote and carried.

PRESIDENT: The House will now adjourn and meet again at 1-30 P. M.

The House adjourned for lunch at 12. 45 P. M. and met again at 1. 30 P. M., the Deputy President presiding.

Administration of Justice.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move that a supplementary grant of Rs. 614 for the continuance of the additional division of the B. L. class in the Law College be sanctioned. In explanation of the demand, I may add a few words. Ordinarily, there is only one division in the B. L. class. In the last academic year, it was found that, owing to the large number of admissions in the B. L. class—it was nearly 300—it should be split up into 2 divisions, as it was found impossible to manage one single class having about 300 students. The Principal therefore recommended that 2 divisions of the B. L. class may be started, and for the conduct of work in the 2 divisions 2 additional temporary Lecturers may be appointed, and that was sanctioned as a temporary urgent measure, as the proposal was brought in only after the Budget was passed. Now, it is felt that, in the next academic year, there will be a large influx of students in the B. L. class and the Principal recommends that 2 additional elective Lecturers may be appointed for the carrying on of the work of this additional division in the B. L. class. It is also proposed to appoint a temporary peon during this period. So I am asking the House for the sanction of this amount.

MR. K. SANKARAN (*Kartikapalli I*): May I know from the member whether the Rs. 614 includes the pay of the two Lecturers and a peon?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes.

MR. K. SANKARAN (*Kartikapalli I*): May I know from the member the period for which the pay is intended? Is it intended for one full year or one academic year?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is intended for the period from the re-opening of the College till the end of this financial year.

MR. K. SANKARAN (*Kartikapalli I*): Am I to take it that no pay will be given for the vacation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) No pay for the vacation is asked for in this grant.

MR. K. SANKARAN (*Kartikapalli I*): Is it ordinarily the case that these people are not paid during the vacation?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): These people were appointed temporarily.

MR. K. SANKARAN (*Kartikapalli I*): May I know from the member the exact period for which this amount is intended?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, from the beginning of the next academic year till the end of this financial year.

MR. K. SANKARAN (*Kartikapalli I*): May I know from the member whether it is intended till the end of the academic year or the Malabar year?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is intended as pay for 2 elective Lecturers and one peon from the reopening of the College till the close of Karkatakam 1109.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Sir, I regret that I have to oppose the motion in the form in which it has been put forward before the House. My reasons are as follows. The total number of hours for which instruction has to be imparted in the Law College is fixed already. I understand that the present staff of the Law College, even with the division now proposed, is sufficient to teach the students of the Law College for the total number of hours minus, say 7, or 8 hours.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Hours a *week*?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Hours a week. So, the Principal, if my information is correct, has recommended the appointment of a single Professor for purpose of handling the classes for about 7 or 8 hours a week. No doubt he has asked for a permanent Professor, but the Government thought that was unnecessary, especially since there was nothing to show that this division would be necessitated as a permanent division for the next year or years to come. So the Government proposed that a temporary staff would be quite sufficient. So far as the Government's view is concerned, it is quite correct. As for the necessity of additional Lecturers, there must be enough number of hours to engage them so that two of them may be appointed. If the number of hours that require to be provided for is about 7 or 8 hours, one Lecturer is quite enough for the purpose. I am prepared to sanction the amount necessary for one Lecturer.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): For how many hours does a Lecturer work in the Law College?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I am not in a position to give precise information.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member suggest that there is work only for one Lecturer?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Yes. There may not be work for two Lecturers.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Am I to understand that what the member suggests is that one of the permanent Professors must do more hours of work?

MR. P.K. NARAYANA PILLAI (*Ambalapuzha*) *I*; An hour's work or more, or rather the required number of hours' work left over may be distributed among the various Professors. My only objection is that we should not sanction two Lecturers when we can manage with one,

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the full-time College as exists now cannot be converted into a part-time College?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I have not worked out any such scheme, and further it is not possible now to convert the Law College into a part-time College, as the University will not allow that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I must confess that Mr. P. K. Narayana Pillai has presented an aspect of the matter that has to be considered by the Principal, but it seems to me that if one additional division is started and that division is to be engaged for 3 or 4 hours a day it may require an additional staff of two Lecturers who will do only two hours of work; presumably, the other 4 hours of work will be engaged by the permanent Professors. I am not able to give all the details about it. But I trust that the House will sanction this grant on the understanding that the Government will ask the Principal to consider this aspect of it, and if he reports it practicable, Government will not sanction the two Lecturers to be appointed. But if he thinks that it will not be practicable, then the two Lecturers will be appointed. This is only for a short period. If it is found that two are not necessary, the grant may be reduced in the annual Budget. For the present, I would request the House to give weight to the recommendation of the Principal and sanction this grant.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know from the member the number of hours per week a full-time Professor is working?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not got the information.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know from the member the total number of working hours of the College?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, four hours a day, I believe.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): May I know what the expenditure was in 1108?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have not got the figure. I may add that Government have considered the Principal's recommendation and they are satisfied that the profits they would derive by maintaining an additional division will far exceed those of any other Government institution. The fee is Rs. 140 or so per annum per student. If there be 150 students in each division, we will be getting over Rs. 2,000 a month for the additional division.

MR. S. J. NAIR (*Nedumangad*): Sir, may I take it that a division will be started only if there are 150 students?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes, say about 100 to 150.

The motion was put to vote and carried.

General Administration.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, I move for a grant not exceeding Rs. 245 under Demand-General Administration. The object of this grant is to meet the pay of the staff employed under the Special Officer who was appointed by Government to prepare notes on various subjects for a period of about 22 days, that is from the 8th Medam 1109 to the end of that month. The Special Officer was asked to consider the proposals of the Retrenchment Committee and the suggestions of the heads of departments, regarding the standardisation of the salaries of officers. He was also asked to examine the question of instituting a Civil Service in Travancore; he was required to submit proposals for a common cadre of officers in the State, and finally he was also required to examine the recommendations of the Public Service Recruitment Committee, whose report was submitted to Government a few months ago. The Government first sanctioned the Special Officer and his staff for a period of 2 months from the 8th Kumbham 1109.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know whether that was sanctioned in this House?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No. I am coming to that point. In the first place, the pay of the Special Officer is non-votable; the pay of the staff for the first 2 months was sanctioned under Section 32 of the Legislative Reforms Regulation. When the Special Officer was appointed Government could not decide definitely when the Legislature would meet again, and the staff had to be paid. So, it became an urgent necessity to authorise the expenditure under Section 32 of the Regulation.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What was the pay of the Special Officer?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The gentleman appointed was a Secretary to Government. He was given his substantive pay plus one-fifth of that pay as deputation allowance.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What was his pay?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): His pay is Rs. 450.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the staff has been paid up to the end of Medam?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): They have only been paid up to the end of Meenam; and if the House do not sanction this amount, they would not get their pay for 22 days in Medam.

[Rao Sahib Dr. N. Kunjan Pillai]

The special staff was first sanctioned for two months which expired by the 8th of Medam. The period had to be extended by about 22 days, *i. e.*, till the end of Medam. Since the Legislature was to meet early in Edavam, Government thought that it would not be advisable to sanction the expenditure, required for this period, under Section 32 of the Regulation. The amount that I am now asking for is comparatively small, and, I hope, the House will sanction it.

In this connection, I may inform the House that Government want to avail themselves of this opportunity to allow the House to discuss the recommendations contained in the Report of the Public Service Recruitment Committee. I daresay, the Honourable members of the House will be aware that this is not a novel procedure in this House. On a former occasion, the House discussed the Report of the Education Reforms Committee on a somewhat similar motion. Government, in placing this motion before the House, would invite the criticisms and opinions of the Honourable members on the Report of the Public Service Recruitment Committee. I may, at the very outset, say that the Government have not yet made up their mind about the recommendations of the Committee. Before doing so, they want to ascertain the views of the Honourable members of this House as well as of the Upper House.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Standardisation Officer has submitted his report to Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): He has sent up his proposals, but Government have not considered them.

DEPUTY PRESIDENT: I would request members to oblige the House by allowing members to finish their speeches before they put their questions.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): As I have already stated, Sir, Government want to avail themselves of this opportunity to permit the House to discuss the recommendations of the Public Service Recruitment Committee. I think it is hardly necessary for me to go into the details of their recommendations. I have no doubt the Honourable members have read the Report carefully which was placed in their hands early enough. I may assure the House, on behalf of Government, that Government will give due consideration to the views of the Honourable members on this Report. In fact, it is with a view to obtain the opinion of the House on the recommendations of the Committee that the procedure I have already explained has been adopted. Government want the benefit of this opinion before they finally decide this thorny question of recruitment to public service.

I may point out, Sir, that the terms of reference to the Committee are given in the G. O. dated the 22nd December 1931, which has been published as an Appendix to the Report of the Committee. As far as

I can see, the Committee have dealt with the various terms of refernces *seriatim*. Chapter I is only a preliminary chapter. Chapter II deals with the first three points in the terms of reference. The first is the principle to be observed in the matter of recruitment to public service, keeping in view on the one hand the complaints of certain communities that they are not fairly represented in the public service and on the other hand the need for maintaining efficiency and for avoiding injustice and unfairness to the other communities. The second is the method of recruitment to be followed, whether it should be by competitive examination solely or by nomination also; and the third, to what appointments the new proposals should apply. Now, these three points are dealt with in Chapter II. In regard to the principle and method of recruitment, the departments have been individually considered; and the recruitment of women and the position of acting men now in service have also been considered by the Committee. The fourth point in the terms of reference is the need for any special concession, like exemption from age-bar, in the case of the backward and depressed communities. This has been dealt with in Chapter VIII of the Report. The last point in the terms of reference, *viz.*, the constitution and functions of a Public Service Commission for selecting persons for appointments has been dealt with in Chapter IX of the Report. Chapter X contains the summary of the Recommendations of the Committee.

This, Sir, in brief, is an analysis of the various points dealt with in the Report. As I said at the very commencement, Government have not yet made up their mind one way or the other on these recommendations. They await and invite the opinions of the Honourable members, the criticisms, if any, on the recommendations of the Committee, so that they may benefit by them before they finally decide the question.

With these words, I would commend my motion for a supplementary grant of Rs. 245, for the acceptance of the House.

DEPUTY PRESIDENT: We will now begin the consideration of the Report of the Public Service Recruitment Committee. The Chair does not propose to prescribe any particular time-limit just at present. The subject is a very important one and I take it there will be a large number of members who are inclined to speak on it. And, our time is limited. How much, I need not say. Therefore, I expect the Honourable members to cooperate with the Chair in giving opportunities to all sections of opinion.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether, if any time is available after half-past three to which point of time the urgent motion has been deferred, it can be utilised for the discussion of this subject?.

DEPUTY PRESIDENT: Certainly.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, it was as a result of persistent agitation on the part of communities that are not adequately represented in the service of the State that the Government resolved to constitute a committee to go into the question of recruitment to public

[Mr. K. Padmanabhan]

s rvice. Public service has been, for ages, monopolised by a small section of the people, thereby shutting out the vast bulk of the population who constitute the so-called backward and depressed classes. Government realised the injustice and the inequalities involved in the system and, with a view to devise a scheme to solve the whole problem, decided to appoint a special committee to go into the whole question.

MR. S. J. NAIR (*Nedumangad*): May I know whether public service was intended or is intended for educated people or for uneducated people?

DEPUTY PRESIDENT: That question does not arise now.

MR. K. PADMANABHAN (*Chirayinkil I*): That public service was overweighted by certain communities..................

MR. S. J. NAIR (*Nedumangad*): May I know from the member the reasons for some sections of the population monopolising the public service? The member alluded to that.

MR. K. PADMANABHAN (*Chirayinkil I*): The figures are given in the Report which explains the reasons. I would request the member to go through the Report.

MR. S. J. NAIR (*Nedumangad*): I want to know what, according to the member, is the reason for the state of affairs explained by the figures contained in the Report?

DEPUTY PRESIDENT: I take it that Mr. Nair wants to know the reasons for the position, according to Mr. Padmanabhan.

MR. S. J. NAIR (*Nedumangad*) Yes, Sir.

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, with a view to give fair representation in public service to the various communities in the State, Government constituted a committee.....................

MR. S. J. NAIR (*Nedumangad*): On a point of order, Sir, the member has not answered my question.

DEPUTY PRESIDENT: Mr. S. J. Nair may draw any inference he can from Mr. Padmanabhan's non-answering of the question.

MR. K. PADMANABHAN (*Chirayinkil I*): The terms of reference specifically say that the maintenance of efficiency should be borne in mind in the attempt to give due respresentation to the various communities. The terms further lay down that, in adopting the new system of recruitment for the future, injustice and unfairness to the over-represented communities should be avoided. My humble submission is that, in view of the present circumstances and also the admitted inadequate representation of the backward communities, the terms of reference impose a very unwholesome limitation on the scope of the Committee's enquiry. Sir, giving due representation to unrepresented and inadequately represented communities means, inevitably, the postponement, for some time at least, of the claims of the over-represented communities for recruitment. My submission is that the terms of reference defeat the very object with which Government constituted the Committee.

DEPUTY PRESIDENT: I do not think the member is in order when he deals with the scope of the enquiry by the Committee.

MR. K. PADMANABHAN (*Chirayinkil I*) I am just referring to the terms of reference.

DEPUTY PRESIDENT: That is exactly what I mean.

MR. K. PADMANABHAN (*Chirayinkil I*): I shall stop with that, Sir, and not go further.

In this connection, one is naturally led to the consideration of the question whether the existing representation of the various communities should be taken into account in fixing the proportion of recruitment for the future. Paragraph 32 of the Report shows how unequal the distribution of appointments is at present. It goes without saying that it will take centuries to set right the present inequalities, unless the existing representation is taken into account in fixing the proportion for future recruitment. One of the members of the Committee moved a resolution on this question. The Chairman managed to split that resolution into two parts. He voted against the resolution and thus equalised the division. Subsequently by the exercise of his casting vote, the resolution was thrown out. That resolution was to the effect that existing representation of the various communities should be taken into account in fixing the proportion of recruitment in future. I must say, with due deference to the Chairman of the Committee, that his attitude is not commendable. I would request the Government to bestow their most serious attention on this aspect of the question and to study the whole question with meticulous care and then adopt a system whereby the present inequalities could be removed and due representation given to all communities within a reasonable and definite period.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether these inequalities which the member urges can ever be remedied?

MR. K. PADMANABHAN (*Chirayinkil I*): Of course, if a proper system is adopted. What I submit is that a proper scheme should be evolved; and according to that scheme Government should work out the whole of the recommendations of the Committee.

MR. S. J. NAIR (*Nedumangad*) May I know from the member the system that he suggests in order to avoid the inequality that, he says, exists today?

MR. K. PADMANABHAN (*Chirayinkil I*); The Report gives various recommendations. In the light of those recommendations, I am only requesting the Government to formulate a system for working them. It is not for me to formulate a system.

MR. K. P. KRISHNA MENON (*Parur*): May I know from the member whether efficiency should not be taken into consideration?

MR. K. PADMANABHAN (*Chirayinkil I*): Even at the outset I said efficiency should be taken into consideration. That is what the Committee says and I have absolutely no quarrel with that.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether literacy should be taken into consideration?

MR. K. PADMANABHAN (*Chirayinkil I*): All these considerations should be taken into account.

DEPUTY PRESIDENT: I wish to ask the member whether he proposes to make or not to make any suggestion on these questions or whether he would leave all these to Government to decide.

MR. K. PADMANABHAN (*Chirayinkil I*): I have offered my suggestions on that. I cannot refer to any practicable scheme myself, but I would request the Government to formulate a proper system.

DEPUTY PRESIDENT: I think I must make my point a little clearer. What I mean is whether Mr. Padmanabhan is prepared to make any suggestion before this House.

MR. K. PADMANABHAN (*Chirayinkil I*): I have made whatever suggestions I have to make.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member when that suggestion was made? Is it now or some time before?

MR. K. PADMANABHAN (*Chirayinkil I*): What I would like to urge upon the House is that the present inequalities should be set right within a reasonable and definite period and that they should not be allowed to remain for a long time.

DEPUTY PRESIDENT: Will the member please answer Mr. Kunjukrishna Pillai's question?

MR. K. PADMANABHAN (*Chirayinkil I*): My answer is that the Government should formulate a scheme whereby the present inequalities will be remedied within a definite time. Any further practicable suggestion I am not prepared to offer at present.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know from the member what the inequalities refer to?

MR. K. PADMANABHAN (*Chirayinkil I*): To the communities.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): What does the member mean by reasonable time?

MR. K. PADMANABHAN (*Chirayinkil I*): I will leave it to the House.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether the State exists for the people as a whole or for particular communities?

MR. K. PADMANABHAN (*Chirayinkil I*): Sir, I do not think that from my speech any implication could be drawn that the State does not exist for the people or the people for the State.

So far as the inferior service is concerned, the Committee is of the opinion that representation should be on the basis of population. But when the question of representation to the superior services is taken up, in paragraph 64 of the Report, the Committee says:

> "The whole population of the State cannot be entertained in such service. It is only those that are qualified that can claim the privilege of serving the State."

If certain communities have not been allowed the opportunities of qualifying themselves for generations, if educational facilities were refused to them for centuries together, is there any meaning in saying at present that representation to those communities should be on a

basis different from their numerical strength? I would like to remind the House of one thing. Whatever may be the system of recruitment adopted by Government, whether it be by competitive examination or by competitive examination with reservation and nomination, as a matter of right, each community is entitled to be represented in the service of the State according to its numerical strength. So far as the appointments in the ministerial and executive posts are concerned, the Committee reserves 10 per cent. of the appointments to go in the order of merit secured by the candidates in the competitive examination irrespective of caste or creed. It is interesting as well as instructive in this connection to understand who will get this reservation of 10 per cent. Sir, educationally all these communities in the State are not of the same standard. Education has been unevenly spread, so much so what I submit is that even this reserved 10 per cent. will inevitably go to the educationally advanced communities who are already over-represented.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether candidates who compete in the competitive examination have to secure the minimum qualification?

MR. K. PADMANABHAN (*Chirayinkil I*): Certainly.

Therefore the favoured communities which are already over-represented in the service of the State will get, over and above their due share which they will get in the order of communal rotation, this 10 per cent. also. The position is much worse and the remedy suggested is worse than the evil.

MR. M. N. NAIR (*Kottayam I*): May I know whether the member means by that that the so-called over-represented communities are intellectually superior to all other communities?

MR. K. PADMANABHAN (*Chirayinkil I*): Those communities who have been given adequate facilities for educating themselves are certainly intellectually superior because they have been given opportunities to develop themselves for a longer time, whereas the other communities have not been given such opportunities. That is why the latter communities are styled backward.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether in spite of education and the taking of degrees certain communities will not come up to the intellectual standard of other communities?

DEPUTY PRESIDENT: You mean members belonging to particular communities and not communities themselves?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes.

MR. K. PADMANABHAN (*Chirayinkil I*): Talking as a matter general principle, if a particular community is given facilities for educating their chidren for a number of years, certainly the general condition of that community will improve in course of time whereas if such facilities are refused to certain communities, they will naturally be backward.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Were the Muslim communities given educational facilities or were they refused those facilities?

MR. K. PADMANABHAN (*Chirayinkil I*): That is another question. Somehow or other they have not been taking advantage of whatever facilities they may have had.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I heard the member--

DEPUTY PRESIDENT: Are you putting a question?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Yes.

DEPUTY PRESIDENT: Then please do so.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): The question is rather involved. I heard the member say that the so-called favoured communities who are, according to him, admittedly superior intellectually, should be punished for being intellectually superior in the matter of future recruitment when the less intellectually superior communities should be given a weightage. That was, I think, the argument of the member. I am asking my friend whether he really wants—

DEPUTY PRESIDENT: Mr. Narayana Pillai, will you please put the whole thing in the form of a question?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Yes, Sir. Is it the member's view that the so-called intellectually superior communities should be punished for giving weightage to the intellectually less superior communities?

MR. K. PADMANABHAN (*Chirayinkil I*): I did not say that the favoured communities should be punished.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): On a point of order. The member does not answer my question.

DEPUTY PRESIDENT: The member cannot be compelled to give any particular answer. He has chosen to answer it in his own way.

MR. K KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether there is any classification according to Government or any other authority of a favoured community? He has been using this expression often.

MR. K. PADMANABHAN (*Chirayinkil I*): I only mean those communites which are over-represented in the service of the State.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): May I know from the member whether efficiency should not be taken into account?

MR. K. PADMANABHAN (*Chirayinkil I*): My point is that there is no necessity for the 10 per cent. reservation even. I wish to impress upon this House that, if competitive examination is adopted, it should be purely an eliminative process, not only to the extent of the 90 per cent. but to the extent of cent. per cent.—without any reservation whatsoever.

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know from the member whether he admits that the average level of capacity of the

graduates of what he called the over-represented communities is higher than the average level of capacity of the graduates of less represented communities?

MR. K. PADMANABHAN (*Chirayinkil I*): As I have answered a similar question, I do not propose to answer this.

MR. A. S DAMODARAN ASAN (*Mavelikara*): May I know when the member answered a similar question?

MR. K. PADMANABHAN (*Chirayinkil I*): Honourable members who have attended to my answer to the previous questions will know that.

MR. S. J. NAIR (*Nedumangad*): On a point of order. I wish to know whether an Honourable member can avoid answering a question.

DEPUTY PRESIDENT: I do not think any member has avoided answering questions and so I do not propose to give a ruling.

MR K. PADMANABHAN (*Chirayinkil I*): For the purposes of Government appointment, the Committee has invented a new community, I mean the woman community.

DEPUTY PRESIDENT: May I ask you, just to facilitate the discussion, to state what you for one understand by "community"? I find various questions are being based upon the term 'community'. You being the first speaker on the subject, can you oblige the Chair and the House by telling what you yourself mean by 'community'?

MR. K. PADMANABHAN (*Chirayinkil I*) By the term community I mean what is recognised by our Government as such for purposes of appointment in public service.

MR. K. C ABRAHAM (*Kottayam II*): Is there any recognised classification on intellectual basis?

MR. K. PADMANABHAN (*Chirayinkil I*): I don't hear the question.

MR. K. C. ABRAHAM (*Kottayam II*): Is there any classification of communities based on intellectual standard?

MR. K. PADMANABHAN (*Chirayinkil I*): So far as I know, there is no such classification.

MR. KAINIKKARA M PADMANABHA PILLAI (*Changanachery I*): Is there any classification of communities as forward and backward under the Education Code?

MR. K. PADMANABHAN (*Chirayinkil I*): It is not the ordinary forward and backward division that is accepted in the Education Department. Fee concessions are given to poor students of forward communities also.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Is there not such a thing as the principle of natural selection and the survival of the fittest?

DEPUTY PRESIDENT: Do you ask that question with reference to this subject or as a general question?

MR. K. PADMANABHAN (*Chirayinkil I*): That question is absolutely irrelevant.

DEPUTY PRESIDENT: I have allowed that question and it is not for you to say that it is not relevant. Do you answer that question?

MR. K. PADMANABHAN (*Chirayinkil 1*): I do not answer and the reason is apparent.

MR. S. J. NAIR (*Nedumangad*): Please may I know from the member whether his refusal to answer is due to his inability to answer?

DEPUTY PRESIDENT: Don't say "please may I know". Say "may I know" (*Laughter*).

MR. K. PADMANABHAN (*Chirayinkil 1*): I do not propose to answer.

If that part of the recommendation is accepted, the possibility of women being entertained in the service will be minimised to a considerable extent and that will result in a retrogression in the education of females in the State.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I have a point for the decision of the Chair. If a question is ruled to be relevant and if the member is able to answer, is he bound to answer? Last time myself and the Honourable member Mr. Puthupalli Krishna Pillai were ordered to answer a question if they knew the answer. I wish to know whether he should be compelled to answer.

DEPUTY PRESIDENT: Unless it appears that the member is deliberately and wilfully refusing to answer a question, he must be given his choice. But once he is deliberate and is guilty of contumacy he may be proceeded with; not otherwise. Ordinarily however a member when questioned will give an answer if he has any to give.

MR. K. PADMANABHAN (*Chirayinkil 1*): Recommendation No. 27 of the Report says that for appointments in Government schools and institutions in the State, the representation of the various communities in aided institutions should be taken into account.

DEPUTY PRESIDENT: You have already taken 22 minutes; I can allow you only 3 more minutes.

MR. K. PADMANABHAN (*Chirayinkil 1*): Yes, Sir. Aided institutions of the State are the result of private enterprise. Private agencies have spent labour and capital and they have started aided institutions. It is not proper on the part of Government to take into account the representation of the various communities in private schools in making appointments in Government schools.

MR. S. J. NAIR (*Nedumangad*) May I know from the member whether private individuals have not constructed schools and handed them over to the management of the Department?

MR. K. PADMANABHAN (*Chirayinkil 1*): That is entirely a different question.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery 1*). Are not aided institutions receiving grants from the Department?

MR. K. PADMANABHAN (*Chirayinkil 1*). There are rules laid down by the Education Department for disbursement of grants. Grants are,

as I understand, a sort of compensation given to the various aided institutions for loss sustained by them in the conduct of the schools. That should not be a reason for taking into account the representation of various communities in private institutions in fixing the proportion of representation in Government schools. Representation in aided schools should not be taken into account for representation in departmental schools. The proprietors of aided schools should be at absolute liberty to choose persons who they consider would be fit for the discharge of their duties.

DEPUTY PRESIDENT: Your time is up.

MR. S. J. NAIR (*Nedumangad*): I wish to know from the member whether he is the manager of a private institution.

MR. K. PADMANABHAN (*Chirayinkil I*): Before concluding ——

MR. S. J. NAIR (*Nedumangad*): The member has not answered my question. It is a case of deliberate unwillingness.

DEPUTY PRESIDENT: I am extremely sorry I am obliged to speak what I am going to do. I fear that there is sometimes a desire on the part of certain members to ask more questions than are useful or valuable. Sometimes it appeared to me that it is an abuse of the right of questioning. I do not propose to say anything with regard to any particular question. I would therefore request the members not to ask questions in such profusion unless the discussion is likely to be facilitated by that question. To enunciate these general principles is not a pleasant task, but duty requires it. I hope the House will take advanage of these observations.

MR. K. PADMANABHAN (*Chirayinkil I*): Let me conclude, Sir.

DEPUTY PRESIDENT: I have given you sufficient time.

MR. K. PADMANABHAN (*Chirayinkil I*): Most of my time was occupied by questions and answers.

DEPUTY PRESIDENT: I don't think I will be justified in giving you any more time.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Sir, on a perusal of the Report of the Public Service Recruitment Committee one looks in vain to find a real and lasting solution to the difficult and intricate problem that has been facing the Travancore public for the last 10 or 15 years. (*Hear, hear*). The Report before us is thoroughly disappointing and I must say that it is pregnant with mischief for the future of this State. A great malady has affected the public life of the State and for a solution this Committee has been appointed by the Government. An ugly and deformed creature it is, that has been brought forth by the Committee. Including the Chairman, the Committee consisted of 12 members. They have jointly submitted a report, but half a dozen of them deem it their duty to append dissenting notes to the same report.

What is the real principle on which recruitment to public service is obtaining in all civilised countries? Sir, to me it seems that character merit, efficiency and faithful carrying out of the

[Mr. Edavanat S. Padmanabha Menon.]

behests and the large policies of the State from time to time are and ought to be the guiding principle and criterion in all healthy public life. (*Hear, hear*). Here the Public Service Committee was asked to earnestly and seriously tackle the problem and they say that in Travancore we have got many communities divided into water-tight compartments They have placed the people of the State in 30 or 35 groups and divided the appointments from Rs. 5 to Rs. 2,000 on the basis of superior service, inferior service, ministerial and executive appointments. Take for a moment for argument's sake that we do accept the Report of the Committee. Will it remove permanently the evils that are affecting the public life of the country. No. My earnest submission to this House is as soon as we accept the recommendations of the Committee in toto all these minor communities themselves will split up into many other similar groups clamouring that so and so has not got its due share, that so and so form a separate group. I ask in all earnestness whether we are not moving in a vicious circle and whether the remedy suggested is not more pregnant with mischief than the malady itself. For the last 10 or 15 years, Sir, because of the interested efforts of certain officials of the State, because of the irresponsible campaign both in the press and on the platform of certain sections of the people and because of the efforts of certain irresponsible politicians, this state of affairs has been brought about and it seems that this malady has come to stay. I do not wish to make any imputation or cast any reflection. After all, Sir, the public service of our State, according to the latest Census Report, absorbs only 2½ per cent. of our people, numbering fifty lakhs. There are many baffling problems of State confronting us, many economic and agricultural problems which require immediate and urgent solution. An attempt at a successful solution of these problems is not made; but instead we are clamouring for more appointments under the Crown and State service which after all ought to be primarily run in the interest of efficiency, honesty and merit.

Many a pitched battle has been fought on the floor of this House with enthusiasm and eloquence worthy of a better cause regarding this communal problem: and are we nearing the final solution yet? We are receding farther and farther from the real issue. A magnificent allowance of 10 per cent. has been allowed for efficiency and it is indeed a great generosity shown by the Committee. Well, Sir, with due respect, I wish to submit that it has been a packed committee of communalists who, disregarding all principles of good administration, wanted only to gain their points.

They have made recommendations which, if accepted, would bring about the permanent deterioration in the efficiency of the public service of the State. (*Hear, hear*). I yield to none in my plea, that all disabilities and barriers due to caste system and birth should be removed in the matter of recruitment to the public service. Let us not have communal problems and communal solutions with a vengeance disregarding the permanent interests of the State.

A cursory glance of the recommendations of the Public Service Committee will convince us that the Medical and the Education Departments have been over-represented by some communities. No reasonable or satisfactory solution has been suggested by the Committee for those defects. It was a strange irony of fate that, when the woman member in the Committee pleads "by all means keep away the pernicious doctrine of communalism from the women section of the population", some of the members of the Committee will say "no, we will have that principle introduced in the women section also." Now what is the suggested solution in the Judicial Department. If there are 12 vacancies for Munsiffs' posts the Committee says "well keep a list of double that number of candidates". I seriously ask, is there a more dangerous and fallacious procedure to lower the status and the dignity of the Judicial Department and keep the door open for corruption? There are all kinds of corruption prevailing in the Judicial Department. For the last ten or 12 years, consciously or unconsciously we were working on the basis of communal representation. In spite of a sectional press agitation we were having, the average villager or the man in the country is not much interested in our communal problem. The impression is gaining ground everywhere that undue prominence is given to this question at the expense of great public questions. If we carefully look around, we find that the Irrigation Department, the Medical Department, the Judicial Department, in fact almost all departments, suffer, because of this communal selection, in the matter of efficiency and honest discharge of duty. We are here as the members of the Legislature representing 50 lakhs of people. Are we to subscribe in toto with a due sense of responsibility to all the implications of this scheme? Are we saying good-bye finally to all democratic principles even in the distant future?

MR. K. SANKARAN (*Kartikapalli I*): Can the member cite any specific instance where efficiency of the service has suffered by the selection on the basis of communal representation? The member was saying that efficiency of the service has been considerably suffering as a result of selection based on communal representation.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): If the member is true to himself and to his own conscience, he can come to a correct judgment.

DEPUTY PRESIDENT: All that the member should say is whether he is prepared to give an answer. If he is able to give an answer, he may do so.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Well, Sir every citizen is alive to the atmosphere of distrust prevalent in our State. For the last fifteen years, actions of responsible officers have not often been judged on their merit, but communal considerations have been brought in and allowed to colour our vision keeping away the true perspective and the realities of the situation. Personally I do not plead for any community. The community to which I belong has of late been described as over-represented.

DEPUTY PRESIDENT: Which is the community to which the member belongs?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): The Nair community. Let the public offices be filled from outside if efficiency demands it. I shall not grudge it. We shall not play with the permanent interest of our State. We are asked to subscribe to a scheme by which the public administration of this State is to be made a museum by creating water-tight compartments. For what? Just to satisfy the ever increasing communal whims and fancies of a few sections of the people. We must understand that the majority of the people are thoroughly innocent in this matter. Some newspapers and sectional organizations and certain interested politicians create this artificial atmosphere of jealousy, a pernicious malady, a contagious disease, and it is spread from village to village and from taluk to taluk; so the whole atmosphere of the public life of this State has ceased to be attractive to an honest citizen of pure ideals whose only wish should be to serve the State and the Crown efficiently and honestly.

Sir, taking the main recommendations of the Committee, as I have adverted to already, tribute is given to efficiency by providing a 10 per cent. If left to myself, I will scrap and reject the report as a whole and make the full cent. per cent. an efficiency test. If for a number of years to come backward and inadequately represented communities who have been disabled for want of education are unable to successfully compete with more advanced communities, give them a reserved percentage; I have no objection. Recruitment to public service should be based on reasonable and well-recognised principle of equity. There should be purity in public service. And on the whole they should be so organised as not to adversely affect the permanent and larger interests of the State.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Does not the member concede that in Travancore places in public service mean some higher social status?

MR. EDAVANATT S. PADMANABHA MENON (*Shertalla I*): Yes, Sir.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): In view of that, does not the member concede—

DEPUTY PRESIDENT: A member can ask only one question at a time.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): The major occupation in the State being agriculture which fails to give a proportionate return for the labour of the people and the added status and high salary of the Travancore public service, these and other similar incidental causes have given an artificial attraction for the time being to some posts in the public service of this State.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether as a result of the attraction to the high salary all minor appointments will vanish in the State?

DEPUTY PRESIDENT: Nobody said the minor apppointment will vanish. Therefore that question does not arise.

MR. S. J. NAIR (*Nedumangad*): May I know whether, as a result of the reduction in the high salary, the desire for communal representation will vanish from the State?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Yes, to a certain extent.

Sir, I do not intend to take more time of the House by going into the details of the Report. I submit only this much. This Report should not be accepted as the basic principle of any future settlement. The suggestion of the Committee itself is that this is a temporary measure for the next seven years; and if we read the Report carefully we will see that the European members and the Government members were stating cogent, reasonable and strong reasons for not accepting the plea of numerical strength alone. Of course we have to consider the disabilities of communities but not in the way proposed by the Committee. But in my opinion it is not always the majority opinion that weighs more in these matters and so I would submit that in future—

MR. K. SANKARAN (*Kartikapalli I*): Is it the opinion of the member that the majority opinion of the Committee should not be considered by Government?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): If the members in the Committee enjoy such a high position by their character and ability and hold the universal confidence of a large section of the public—

DEPUTY PRESIDENT: The point seems to be misunderstood. Mr. Sankaran's question is whether Government should consider the Report.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Certainly they should. That is why we and the Government members are now here.

MR. K. SANKARAN (*Kartikapalli I*): That is the very reason why I wish to know whether the Government should give more weight to the opinion of the European members in the Committee than the opinion expressed by the majority.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): All their plea in the Committee against the pernicious principle of communalism was a cry in the wilderness.

MR. K. SANKARAN (*Kartikapalli I*): Does not the member think that the opinion, quoted in the Report, of eminent European members who served in similar committees in Mysore and other places should be given more weight?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I have read carefully the Report.

MR. K. SANKARAN (*Kartikapalli I*) I wish to know from the member whether the views expressed by those members should not be given more weight by Government than the views expressed by European members.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): That depends upon the views prevalent in the country, and the special circumstances of each State. In Madras there is not that difficulty. There is only the Brahmin and the non-Brahmin division. Here the tendency is not like that. We are going to create water-tight compartments. I ask if only the 2½ per cent. of the population is represented in the public service, what about the remaining 97½ per cent? Do not we represent them also? I say by all means consider honestly the Report before us. But let us not be blindly carried away along their line of reasoning. Let us not be captured by it. Let us be keenly alive to the implications underlying this question. Let a few of the Government members and representatives of the elected members meet together in a conference and try to understand the implications of this Report. Let this Report itself be a basis for discusssion. Let the peculiar circumstances and considerations that obtain in this State also be taken note of.

DEPUTY PRESIDENT: I do not think the conference suggested by the member really arises in the discussion of this question.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I only cited one of the few reasonable ways of procedure.

MR. K. SANKARAN (*Kartikapalli I*): The member was saying that in Madras, because there were only two classes of people, *viz.* the Brahmins and the non-Brahmins, there was no difficulty in accepting the principle of communal representation. May I know from the member whether he has any objection to classify the communities here as Caste Hindus on the one hand and all the other castes on the other hand, in applying the principle of communal representation?

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I do not subscribe to that. I represent all the sections of the people and I refuse to subscribe to any artificial method of classifying the people as Hindus, caste-Hindus, Christians, and Muslims.

MR. K. R. ELENKATH (*Kalkulam I*): Sir, I am sorry I have to oppose the demand and in doing so, I shall try to express my views on the Report of the Public Service Committee. In the first place, I am at one with many of the arguments brought foward by my friend Mr. Padmanabha Menon. I am glad to find that the majority of the Committee have accepted the principle of non-communal outlook in the public service. I will quote a few sentences from the Report to make clear my position and to substantiate my statement.

> "It has to be recognised that the public service exists for the people of the State as a whole. It is maintained at the cost of the tax-payer. He has therefore an undoubted right to demand that he should get the best service for the money he pays".

Again, the Committee says.

> "Character and merit should be the only deciding factors in the matter of recruitment to the public service, irrespective of communal considerations".

Along with that, they have rightly stressed the point that—

> "All persons should be afforded equal facilities to equip themselves with the attainments needed for the public service of the State.".

Generally speaking, only these considerations ought to weigh with the authorities and with any right-thinking citizen in the matter of appointment to the public service. I am not one who believes that whatever the Government can do the communal clamour is ever going to end. The Committee has sat for many days and according to them came to some definite agreement, though many of the members have sent up dissenting minutes. According to me, communities who are, educationally and in other respects, superior to other communities but who in point of population are minorities, are left out. I ask, where is the remedy in their case for adequate representation. One main argument put foward by the Committee, though subject to the dissenting note, is that nearly Rs. 8 lakhs of public money is spent every month for salaries of officers. At the same time they suggest that this money should be distributed among the population basis. Why did not they suggest that the money should be distributed according to the territorial basis? Why not let each taluk get so many appointments in proportion to the revenue derived from it? The argument that the Committee have advanced from the point of view of revenue is unsound. Suppose the total collection of revenue from a taluk is high and the inhabitants of the taluk, consist of many educated and qualified persons but are of minority communities in the State. Then according to the Committee's recommendation, no adequate portion of appointments will go to that taluk for the Committee takes into consideration only the educated population of the country and not of each taluk. That is not a fair arrangement. As I said, a particular taluk may yield large revenue but the educated population will be only few. In that case, educated people from other taluks may enjoy the benefits of appointments at the expense of those in these taluks. Let us take another instance. Take the Roman Catholic community which is backward in education. There is a family consisting of 10 qualified members who are getting decent salaries of over Rs. 500. There is another family consisting of 7 graduates who are all unemployed. Has the Public Service Committee suggested any remedy for these people? Where is communal justice meted out in this case? We find from experience that only certain influential families of the so-called unrepresented communities enjoy all the privileges of appointments at the cost of the rest, Such a state of affairs not ceasing to exist, the complaint of certain communities that they are not fairly represented in the service still remains as before. No provision is made nor suggestion given to remedy this state of inequality.

[Mr. K. R. Elenkath.]

I do not agree in the view expressed by Mr. Padmanabha Menon in support of the non-Brahmin agitation in Madras or Mysore. If one State or Province has blundered, it does not follow that we should also do so.

MR. K. SANKARAN (*Kartikapalli I*) : Have not the Governments of Mysore and Madras agreed to the principle of communal representation and has efficiency gone down in those countries?

MR. K. R. ELENKATH (*Kalkulam I*) : I will come to that later on. Efficiency is only a comparative term. I hope you will excuse me for observing when I say that, even if men of mediocre abilities are put in charge of the administration, the administration, will run on. The country is not going to be drowned in the Arabian sea.

So much so, efficiency is a thing which does not matter very much to us. Even in Madras and Mysore reports, I find the majority of the members in those committees also have dissented. There also communal rotation on population basis, though conceded, is not being adhered to. Statistics show the number of Brahmins eligible for appointment is $2\frac{1}{2}$ per cent, in Mysore; in Madras 7 1/2 per cent; there also, I may say, communal representation on the basis of population is not adhered to.

Then, the majority of our Committee say that the most suitable thing will be that appointments be given on the basis of qualified hands. The only argument advanced by the Committee for not adhering to that principle is the difficulty in getting proper statistics. That is only a lame excuse. The number of qualified hands can easily be ascertained by Government. There is the electoral roll. A reference to that will easily furnish the information and wherever further information is required, it is not difficult for Government to collect them. If the Committee had remained patiently for some time more for the collection of required information, they could have got the necessary statistics and based their recommendations on them. Even in that case, I am deadly opposed to communal claims being considered superior to merit.

I have only a word more. In the dissenting minute of Mr. P. S. Mahomed there is one sentence which struck me with surprise *viz.*, "communal representation is the outcome of democratic influence in this country." If this is democracy as he has understood it, I have only to sympathise with him. I should think correctly, in a country which has politically developed, which has a political consciousness behind it, communal considerations cannot at all weigh in any matter that concerns public good. With these remarks, I disagree with the so-called majority recommendation of the Committee.

MR. A. EASVARA PILLAI (*Kottarakara*) : Sir I oppose the Demand and the major recommendations of the Public Service Recruitment Committee.

DEPUTY PRESIDENT: Will you just bear with me for a minute. I want to make a few general observations on a matter which I consider to be important during the last one hour. I found various gentlemen getting out of the hall and coming in without doing the common courtesy of bowing to the Chair. Not one or two or three but I found many people doing the same. I would mention to the House the necessity of keeping these forms of behaviour, because it will enhance the dignity of the House.

MR. A. EASWARA PILLAI (*Kottarakara*) ; The Committee has recommended the principle of communal representation in the matter of recruitment to public service. I am not in favour of communal representation. The main argument for accepting the principle of communal representation is that the Governments of Madras and Mysore have accepted it. The conditions and circumstances in Travancore are entirely different from those of Mysore and Madras. It is quite wrong to compare highly educated Travancore with other States. We have got ample facilities for education here. I am for the introduction of competitive examination in the matter of recruitment in the inferior and superior service in the State. I do admit that there are serious complaints against the existing system of recruitment, and it is pernicious, as Mr. Padmanabha Menon said just a while ago. The officers wield patronage and influence and it is believed rightly or wrongly that an officer generally favours his own community. So it requires a thorough overhauling. I believe every citizen has got a common right to serve the State provided he has got superior qualification. By the introduction of communal representation you are violating the right of a citizen. No community or religion has got a right to effect a partition of the State of Travancore. The State stands far above castes, communities, religions or parties. Our endeavour at this juncture must be to pacify communal differences which stand in the way of a healthy civic life. Any institution or religion or custom which separates one community from another is too bad in this century. We are now trying to transgress the limits of nationalism regionalism and communalism. We are now for international co-operation. Communal representation will perpetuate communal division, promote class aggrandisement, impair efficiency and land the State in chaos. And it is opposed to principles of democracy.

I am in favour of instituting competitive examinations in the matter of recruitment both for inferior and superior service. I believe no useful purpose will be served if the recommendation of the Committee for appointing a commission for selecting candidates is given effect to. Our Govenment can conduct competitive examinations like other examinations that are being conducted at present. If the people of Travancore have no faith in our Government in the matter of conducting examinations, it is better to employ outsiders for all appointments in the State. If you believe in the integrity of our officers who are conducting other examinations, we can fully rely upon them for conducting competitive examinations for recruitment to the public service. For that matter, a Commission presided by a high-paid officer is not at all necessary. For these reasons, I oppose the Demand.

MR. V. K. VELAPPAN NAIR (*Vaikam*): സർ, പബ്ലിക് സർവ്വീസിലെ സമുദായപ്രാതിനിധ്യവാദം കുറെക്കാലമായി തിരുവിതാംകൂർ ജനങ്ങളുടെ ഇടയിൽ വളരെ അസമാധാനം ഉണ്ടാക്കിക്കൊണ്ടിരിക്കുന്ന ഒരു സംഗതിയാണ്. നമ്മുടെ ഗവൺമെൻറിന് ഏതെങ്കിലും ഒരു വിഷയത്തെസംബന്ധിച്ച് വിഷമം നേരിടുമ്പോൾ അതിലേക്കു ഒരു കമ്മിററിയെ നിയമിക്കയും ആ കമ്മററിയുടെ ആലോചനകൾ ശേഷം ആ സംഗതി അവസാനമായി തീരുമാനിക്കപ്പെടുകയും ചെയ്യുന്ന ഒരു പതിവുണ്ട്. ഈ നടപടി സമുദായപ്രാതിനിധ്യവിഷയത്തിലും ഗവൺമെൻറംഗീകരിച്ചു. എന്നാൽ സാധാരണയായി ഗവൺമെൻറു കമ്മററിയെ നിയമിക്കുകയും കമ്മററി റിപ്പോർട്ടു സമർപ്പിച്ചതിനുശേഷം അതിനെ നിയമസഭയുടെ ആലോചനക്കുവച്ച് അവിടെ ശക്തിയായ വാദപ്രതിവാദം നടത്തിയ ശേഷം അതിനെ ത്യാജ്യകോടിയിൽ തള്ളുകയും ചെയ്യുന്ന പതിവുണ്ട്. ഈ പബ്ലിക് സർവ്വീസ് കമ്മീഷൻ റിപ്പോർട്ടും ഇതേ രീതിയിൽ സംഭവിക്കാൻ ഇടയുള്ള ഒന്നാണെന്ന് വിദ്യാഭ്യാസ പരിഷ്കരണക്കമ്മററി, ലാസ് ഡിലേസ്ക്കമ്മററി, എന്നിവയുടെ അനുഭവം കൊണ്ടു നമുക്കൂഹിക്കാവുന്നതാണ്. ഈ നിലയിൽ ആണെങ്കിൽ നമ്മുടെ ഗവൺമെൻറു ഏററവും വിഷമമേറിയ ഒരു പരിതസ്ഥിതിയിൽ എത്തിച്ചേരുന്നതാണ്. അതു കൊണ്ടു ഇന്നു നമ്മുടെ ആലോചനകൾ വിഷയീഭവിച്ചിരിക്കുന്ന ഈ റിപ്പോർട്ടിനെ ഏതെങ്കിലും രൂപത്തിൽ, അല്ലെങ്കിൽ നിയമസഭയുടെ അംഗീകാരം സിദ്ധിക്കുന്ന രൂപത്തിൽ, നടപ്പിൽവരുത്തേണ്ടതു് വളരെ അത്യാവശ്യമായിട്ടുള്ളതാണ്. സമുദായപ്രാതിനിധ്യം പബ്ലിക്സർവ്വീസിൻെറ കാര്യക്ഷമതക്കു ഹാനികരമല്ലാത്ത വിധത്തിൽവേണ്ടതാണെന്ന് ഇവിടെ ചിലർ അഭിപ്രായപ്പെട്ടു. എന്നാൽ ഇന്നത്തെ പബ്ലിക്സർവ്വീസിൽ എല്ലാ സമുദായക്കാർക്കും ശരിയായ പ്രാതിനിധ്യം ഇല്ലെന്നുള്ളതിനു പക്ഷാന്തരമുണ്ടെന്നു തോന്നുന്നില്ല. അതുകൊണ്ടു മുഴുവനും കാര്യക്ഷമതക്കു വിടാതെ തിരുവിതാംകൂറിലെ പബ്ലിക്സർവ്വീസിൽ കുറെ കൈ സമുദായ പ്രാതിനിധ്യവും അനുവദിച്ചു കൊടുക്കേണ്ടതാണ്.

MR. K. SANKARAN (*Kartikapalli I*): കുറെ കൈ വിട്ടുകൊടുക്കണം എന്നു പറയുന്നതെന്താണ്?

MR. V. K. VELAPPAN NAIR (*Vaikam*): എല്ലാ സമുദായക്കാർക്കും പ്രാതിനിധ്യം ഇല്ലാത്തതുകൊണ്ടു തന്നെ.

DEPUTY PRESIDENT: I do not think that you had the right to make that observation. Evidently, it was not a question. It was

only a suggestion that the member should give certain facts and certain reasons, and I do not think that it is a proper procedure. Anyhow, Mr. Velappan Nair is at liberty to make an observation on this subject.

MR. V. K. VELAPPAN NAIR (*Vaikam*) : സമുദായപ്രാതിനിധ്യം ഇല്ലാത്തവക്കു കുറെ ഒക്കെ കൊടുക്കണമെന്നു പറഞ്ഞതു എന്തുകാരണത്താലാണെന്നു ഞാൻ ആദ്യം പറഞ്ഞതിനെ ബഹുമാനപ്പെട്ട മെമ്പർ കേട്ടിരിക്കുമെന്നു വിശ്വസിക്കുന്നു.

കാര്യക്ഷമതക്ക് ഹാനികരമില്ലാത്തവിധത്തിൽ സമുദായപ്രാതിനിധ്യം എല്ലാസമുദായക്കാൎക്കും അനുവദിച്ചുകൊടുക്കണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. K. R. ELENKATH (*Kalkulam I*) : തിരുവിതാംകൂറിൽ സമുദായപ്രാതിനിധ്യം അനുവദിക്കാതിരിക്കുന്നുണ്ടോ?

MR. V. K. VELAPPAN NAIR (*Vaikam*) : ഗവൺമെന്റു സമുദായപ്രാതിനിധ്യം അംഗീകരിച്ചിട്ടുണ്ടെന്നാണ് വയ്പ്. എന്നാൽ എല്ലാസമുദായക്കാൎക്കും ശരിയായ പ്രാതിനിധ്യം കിട്ടിയിട്ടില്ല.

ഈ കമ്മററിറിപ്പോർട്ടിൽ ഒരു കമ്മിഷന്റെ പരീക്ഷയിന്മേൽ ആളുകളെ തെരഞ്ഞെടുക്കണമെന്നു നിർദ്ദേശിച്ചിരിക്കുന്ന അഭിപ്രായത്തോടു ഞാൻ യോജിക്കുന്നു. ഈ കമ്മിഷനിൽ അഞ്ചംഗങ്ങളും ഒരു പ്രസിഡന്റും സ്ഥിരമായി ഉണ്ടായിരിക്കണമെന്നു പ്രസ്താവിച്ചിരിക്കുന്നു. അതിനോട് ഞാൻ യോജിക്കുന്നില്ല. ഓരോ ഡിപ്പാർട്ടുമെന്റിലും ഒഴിവുണ്ടാകുമ്പോൾ അതിലേക്കു ഈ കമ്മിഷൻ ആളുകളെ പരീക്ഷിച്ചു തിരഞ്ഞെടുത്തു കൊടുക്കണമെന്നാണ് നിർദ്ദേശിച്ചിരിക്കുന്നതു്. ഈ കമ്മിഷൻ ഉണ്ടാക്കുന്നതിനു സമാധാനമായി റിപ്പോർട്ടിൽ പ്രസ്താവിച്ചിരിക്കുന്നതു നിർദ്ദാക്ഷിണ്യമായി നിയമനം നടത്തണമെന്നുദ്ദേശിച്ചാണെന്നാണ്. അംഗങ്ങൾ അധികരിക്കുന്നതുനിമിത്തം നിർദ്ദാക്ഷിണ്യമായ പെരുമാററത്തിനു സാധിക്കുമോ എന്നു സംശയമാണ്. പന്ത്രണ്ടംഗങ്ങൾ ചേൎന്ന ഒരു കമ്മിററിയാണ് ഈ പബ്ലിക്‌സർവീസ് കമ്മിററിറിപ്പോർട്ടു സമർപ്പിച്ചിരിക്കുന്നതു്. അതിൽ പകുതി അംഗങ്ങളും ഇതിലെ ഓരോ അഭിപ്രായത്തോടും യോജിച്ചുകാണുന്നില്ല. ഈ വിഷമം പരിക്ഷാകാര്യത്തിലും ഉണ്ടാകുമെന്നുള്ളതിനു് സംശയമില്ല. സത്യസന്ധനായ ഒരു ഒററ ഉദ്യോഗസ്ഥനു് കമ്മിഷൻ ഉദ്ദേശിക്കുന്ന സകല കാര്യവും ചെയ്യാവുന്നതാണ്. ഇന്നത്തെ ആലോചനയുടെ ഫലമായി ഗവൺമെന്റ് അംഗീകരിക്കുന്ന ഒരു രീതിഅനുസരിച്ച് ഡിപ്പാർട്ടുമെന്റു മേലദ്ധ്യക്ഷന്മാർ നിയമനങ്ങൾ നടത്താൻ നിർബന്ധിതരായിരിക്കും.

[Mr. V. K. Velappan Nair]

അതിലെക്ക കമ്മിഷൻ ചെയ്യേണ്ട പ്രധാനകൃത്യം പരീക്ഷ നിർദ്ദാക്ഷിണ്യമായി നടത്തുക എന്നുള്ളതു മാത്രമാണ്. അതിനു അംഗങ്ങൾ അധികം ഉണ്ടാകാതിരിക്കുന്നതാണ് നന്ന്. പരീക്ഷ നിർദ്ദാക്ഷിണ്യമായിരിക്കണമെങ്കിൽ പരീക്ഷകന്മാരും പരീക്ഷ്യന്മാരും പരസ്പരം അറിയാതിരിക്കണം. എന്നാൽ ശരിയായ യോഗ്യതയുള്ളവക്ക് മാത്രം പ്രവേശനം സിദ്ധിക്കുമെന്നുള്ളതിനു സംശയമില്ല. കാര്യക്ഷമതക്ക് പത്തുശതമാനം എന്നു നിർദ്ദേശിച്ചിരിക്കുന്നു. ബാക്കി തൊണ്ണൂറു ശതമാനത്തിനും ഉള്ള കുറവ് ഇതുകൊണ്ടു് പരിഹരിക്കുവാൻ സാധിക്കുമെന്നു വിശ്വസിക്കുവാൻ ന്യായം കാണുന്നില്ല. അതുകൊണ്ടു അൻപതു ശതമാനമെങ്കിലും കാര്യക്ഷമതക്കായി നീക്കിവയ്ക്കേണ്ടതാണ്. അതിനോടു ഈ സഭക്ക് അഭിപ്രായവ്യത്യാസം ഉണ്ടെങ്കിൽ മുപ്പതു ശതമാനം എങ്കിലും നീക്കിവയ്ക്കേണ്ടതാണ്.

ഈ റിപ്പോർട്ടിൽ സ്ത്രീകളുടെ കാര്യം പ്രത്യേകമായി പരിഗണിച്ച് സമുദായപ്രാതിനിധ്യം അംഗീകരിക്കാതെ അവൎക്കു മൊത്തമായി പ്രാതിനിധ്യം അനുവദിച്ചുകൊടുക്കണമെന്നു പ്രസ്താവിച്ചിരിക്കുന്നു. ഇപ്പോൾ നടന്നുവരുന്ന പ്രക്ഷോഭണങ്ങളിൽ സ്ത്രീകളെ പ്രത്യേകം ഗണിക്കണമെന്നുള്ള അഭിപ്രായത്തോടു അവരാരും യോജിച്ചുകാണുന്നില്ല. അവരെ പുരുഷന്മാരോടൊപ്പം ഗണിച്ച് പുരുഷന്മാൎക്കുകൊടുത്തുവരുന്ന സകല അവകാശങ്ങളും കൊടുക്കണമെന്നാണ് അവർ വാദിക്കുന്നതു്. ആസ്ഥിതിക്കു അവരെ പ്രത്യേകമായി ഗണിക്കണമെന്നില്ല. ഗണിക്കുന്നുണ്ടെങ്കിൽ സമുദായപ്രാതിനിധ്യതത്വം സ്ത്രീകൾക്കും അനുവദിച്ചുകൊടുക്കേണ്ടതത്യാവശ്യമാണ്.

MR. K. R. ELENKATH (*Kalkulam I*) : സമുദായപ്രാതിനിധ്യം സ്ത്രീകൾക്കു വേണ്ടെന്നുപറയുമ്പോൾ അതിനെ അവരുടെ തലയിൽ വച്ചുകൊടുക്കുന്നതു ശരിയാണോ?

MR. V. K. VELAPPAN NAIR (*Vaikam*) : സമുദായപ്രാതിനിധ്യം സ്ത്രീകൾക്കുവേണ്ടെന്നുതന്നെയാണ് റിപ്പോർട്ടിൽ പ്രസ്താവിച്ചിരിക്കുന്നതു്.

MR. K. R. ELENKATH (*Kalkulam I*) : സ്ത്രീമെമ്പേഴ്സിൽ ആരെങ്കിലും സമുദായപ്രാതിനിധ്യം വേണമെന്നു പറഞ്ഞിട്ടുണ്ടോ എന്നറിയാമോ?

MR. V. K. VELAPPAN NAIR (*Vaikam*) : ഒരു മെമ്പർ പ്രസ്താവിക്കുന്നതിനെമാത്രം അടിസ്ഥാനപ്പെടുത്തി അല്ല ഞാൻ എന്റെ അഭിപ്രാ-

യങ്ങടെ പുറപ്പെടുവിക്കുന്നതു്. റിപ്പോർട്ടിൽ പ്രസ്താവിച്ചിട്ടുള്ള സംഗതികളെക്കുറിച്ചു മൊത്തമായിട്ടുള്ള എന്റെ അഭിപ്രായവ്യത്യാസങ്ങളെ പ്രസ്താവിക്കേണ്ടതു് എന്റെ കടമയായതുകൊണ്ടാണു് ഞാൻ അതിനെപ്പറ്റി പ്രതിവാദിക്കുന്നതു്.

MR. N JOHN JOSEPH (*Nominated*): അധഃകൃതക്കു് ......

DEPUTY PRESIDENT: ചോദ്യം എന്താണെന്നു കേട്ടില്ല.

MR. N. JOHN JOSEPH (*Nominated*): അധഃകൃതക്കു് സമുദായപ്രാതിനിധ്യം കുറെക്കാലത്തേക്കു അനുവദിച്ചുകൊടുക്കുന്നതിൽ മെമ്പക്കു് അഭിപ്രായവ്യത്യാസം ഉണ്ടോ?

MR. V. K. VELAPPAN NAIR (*Vaikam*): അതിനെപ്പറ്റി പിന്നീടു പ്രസ്താവിക്കാമെന്നാണു ഞാൻ വിചാരിച്ചതു്. അധഃകൃതക്കും മററു സമുദായക്കാക്കും വേണ്ടവിധത്തിലുള്ള പ്രാതിനിധ്യം പബ്ലിക്കു സർവീസിൽ കൊടുക്കണമെന്നാണു് എന്റെ അഭിപ്രായം. ഈ വിഷയത്തിൽ ഏററവും അസമത്വം അനുഭവിക്കുന്നതു പരമാർത്ഥത്തിൽ അധഃകൃതരാണു്.

DEPUTY PRESIDENT: I find one difficulty to guide the discussion because of the word 'അധഃകൃതർ' and the word 'community'. Now Mr. Joseph has used the word 'അധഃകൃതർ;' unless Mr. Joseph explains what meaning he would give to the word 'അധഃകൃതർ,' there would be difficulty and I would ask him what 'അധഃകൃതർ' means.

MR. N. JOHN JOSEPH (*Nominated*): വിദ്യാഭ്യാസവിഷയത്തിൽ ഏററവും പിന്നണിയിൽ നില്ക്കുന്നവരും ഗവമെൻറുസ്കൂളിൽ പ്രവേശനം കിട്ടാത്തവരും പരീക്ഷ പാസ്സായിട്ടും ഉദ്യോഗംകിട്ടുന്നതിനു പ്രതിബന്ധം ഏർപ്പെട്ടുകൊണ്ടിരിക്കുന്നവരുമായ സമുദായങ്ങൾക്കു് സമുദായപ്രാതിനിധ്യം കുറേക്കാലത്തേക്കു അനുവദിച്ചുകൊടുക്കുന്നതിൽ വിരോധമുണ്ടോ?

DEPUTY PRESIDENT: അധഃകൃതർ എന്നു ഇന്നു പറയപ്പെടുന്നവർ മാത്രമാണോ അതല്ല വേറെയും ആളുകൾ ഉണ്ടോ?

MR. N JOHN JOSEPH (*Nominated*) വിദ്യാഭ്യാസം ചെയ്യുന്നതിനുള്ള സൌകര്യം ലഭിക്കാതേയും വിദ്യാഭ്യാസംചെയ്തശേഷവും ഉദ്യോഗംകിട്ടാതേയുംഉള്ള ഏതെങ്കിലും ക്രിസ്ത്യാനോ ഹിന്ദുവോ ഉണ്ടെങ്കിൽ ആ സമുദായത്തെ പ്രത്യേകം തിരിച്ചു് അവക്കു സമുദായപ്രാതിനിധ്യം അനുവദിച്ചുകൊടുക്കുന്നതിൽ മെമ്പറിന്റെ അഭിപ്രായം എന്താണു്?

MR. V. K. VELAPPAN NAIR (*Vaikam*): അങ്ങിനെ ഉള്ളവക്കു കൂടുതൽ സൌജന്യംചെയ്തുകൊടുക്കണം എന്നുതന്നെയാണു്.

MR. N JOHN JOSEPH (*Nominated*): പബ്ലിക്ക സർവീസ കമ്മററി റിപ്പോർട്ടിൽ അധഃകൃതരുടെ കാര്യം എന്തെങ്കിലും പ്രസ്താവിച്ചിട്ടുള്ളതായി അറിയാമോ?

DEPUTY PRESIDENT: അതിന് ഉത്തരം പറയേണ്ട ആവശ്യമില്ല.

MR. S. J. NAIR (*Nedumangad*): വിദ്യാഭ്യാസംചെയ്യുന്നതിനു സൌകര്യമില്ലാതെയുള്ള നാട്ടിൻപുറങ്ങളിൽ താമസിക്കുന്ന നാധുക്കൾക്കു താലൂക്കുതോറും സമുദായപ്രാതിനിധ്യം അനുവദിച്ചുകൊടുക്കാൻ പാടില്ലേ?

MR. V. K. VELAPPAN NAIR (*Vaikam*): നമ്മുടെ ഇപ്പോഴത്തെ സമുദായവഴക്കുകൊണ്ടുതന്നെ വിഷമിച്ചിരിക്കുന്ന ഈ ഘട്ടത്തിൽ താലൂക്കു സമുദായംകൂടി സൃഷ്ടിച്ചുവയ്ക്കുന്നതു ആപൽക്കരമാണ്. അതുകൊണ്ട് താലൂക്കുസമുദായത്തെ അംഗീകരിക്കണമെന്നു എനിക്കു അഭിപ്രായമില്ല.

പട്ടാളത്തിൽ നായരേതരന്മാരെ പ്രവേശിപ്പിക്കാത്തതുകൊണ്ടു അതിനു പരിഹാരമായി ഫാറസ്റ്റ്, എക്സൈസ്, പി. ഡബ്ലിയു ഡി., ഈ ഡിപ്പാർട്ടുമെൻറുകളിൽ മററുള്ളവർക്കു കൂടുതൽ പ്രവേശനം കൊടുക്കണമെന്നൊരു ശുപാർശ ഈ റിപ്പോർട്ടിൽ കാണുന്നുണ്ട്. ഈ നിർദ്ദേശത്തോടു യോജിക്കാൻ നിവൃത്തിയില്ല. പട്ടാളം ഡിപ്പാർട്ടുമെൻറിനെ മാത്രം എടുത്തു പറഞ്ഞിരിക്കുന്നതു ശരിയല്ല. മററു സമുദായക്കാർക്കു പ്രവേശനം ഇല്ലാത്ത ദേവസ്വം ഡിപ്പാർട്ടുമെൻറുണ്ട്. അതിനെ സംബന്ധിച്ച് ഒന്നുംതന്നെ റിപ്പോർട്ടിൽ പറഞ്ഞുകാണുന്നില്ല. പട്ടാളത്തിൽ നായരേതരന്മാർക്കു പ്രവേശനം ഇല്ലാത്തതുകൊണ്ട് മററു ഡിപ്പാർട്ടുമെൻറുകളിലുള്ള ഉദ്യോഗത്തിൻെറ ശതമാനം മററുള്ളവർക്ക് വർദ്ധിപ്പിക്കണമെന്നു പറയുന്നതു ശരിയല്ല. അതിനെക്കാൾ പട്ടാളത്തിൽ മററുള്ളവരെയും പ്രവേശിപ്പിക്കുന്നതാണു നല്ലത്. ഏതു രൂപത്തിലെങ്കിലും ഈ റിപ്പോർട്ടിനെ അംഗീകരിച്ചു നാട്ടിൻപുറത്തു ജീവിക്കുന്ന ഞങ്ങൾക്കൊക്കെ സമാധാനപരമായി ജീവിക്കത്തക്കവിധത്തിൽ ഈ ഉദ്യോഗവഴക്കിനെ അവസാനിപ്പിച്ചാൽകൊള്ളാമെന്ന് എനിക്കഭിപ്രായമുണ്ടു.

MR. S. J. NAIR (*Nedumangad*): പണ്ടു പട്ടാളത്തിൽ നായരല്ലാത്തവർ ചേരാതിരുന്നതു് അവരുടെ ഭയംകൊണ്ടാണോ അതല്ല ചേരാൻ അനുവദിക്കാത്തതുകൊണ്ടാണോ?

DEPUTY PRESIDENT: ആ ചോദ്യത്തിന് ഉത്തരം പറയേണ്ട ആവശ്യമില്ല.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : Probably, Sir, speaking with reference to the representation in the public services, whatever else might be said about communal representation, the first thing that we have got to do and we have got to recognise is the fact that our arguments must proceed upon the basis that, in future at least, this communal representation business will play a large part in our public life, To go into the history of that question, this was started by the non-Brahmin party or the Justice party, as it was called, in the Madras Presidency nearly 17 years ago and the formula, which was then adopted, was based upon this argument that there was only one community which was having predominance in the public service and that other communities were not having their due share. That is to say, a community which was the poorest in the point of population was having the highest in the matter of the public services. Not only that, it was argued and the formula was placed not merely upon the population basis but also upon the fact that the other communities were having larger vested interests. That meant that other communities were paying the greater portion of the taxes and therefore that also should be taken into consideration.

DEPUTY PRESIDENT : I have had the advantage of hearing what Mr. Joseph means by the word ' അധഃകൃതർ ' (depressed classes). The word " community " also is so often used here. I wish you will give us a working idea of what you mean by the word. Not that you are bound to do it ; but, it will be highly appreciated if you can explain the meaning of that expression.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I shall do it to the best of my ability, Sir. The word ' community ' has been used with different meanings in different places. We had simply the Brahmins and the non-Brahmins in the Madras Presidency. Those were the only two " communities " with reference to whom the arguments for communal representation proceeded. In Travancore, there seems to be several communities. In Madras, it was not based upon any religious distinction, since even Christians and Mahomedans were included in the non-Brahmin "community. " The movement for communal representation was started in Mysore also, and there also they did not have as many 'communities ' as we now have in Travancore. The problem does not seem to have been satisfactorily solved either in Madras in spite the Justice party being in power or for over a decade or in Mysore in spite of the Miller Committee Report. It was only the Independent Ministry in Madras, the Subbarayan Ministry which tackled it somewhat satisfactorily. In Travancore, as I submitted, several formulas have been and are being put forward. Representation was once claimed on the tax paid to Government. Now, the claim seems to be based on population. A third formula is based on historical traditions and historical conditions. There is also the question of literacy or want of literacy involved. All these questions have to be considered in evolving a scheme for communal representation in Travancore. And, it

[Mr. P. Chidambaram Pillai.]

s when emphasis is sought to be laid on any one of these points to the exclusion of other points that trouble arises. We have got to take note of the fact that there are communities which have a large population. Certainly, their claims cannot be brushed aside. There are other communities who base their claims on historical traditions and on historical grounds. They have been in public service for long years, and they say that, after having been there for long, their position should be safeguarded. We cannot altogether ignore their position. They are naturally unwilling to give away the privileges which they obtained long ago after considerable trouble.

Sir, this question is intimately connected with the executive side of Government and has not much to do with legislative side with which alone this House is intimately connected. The Chief Secretary has explained the procedure the Government have adopted in placing this question before this House.

MR. K. R. ELENKATH (*Kalkulam I*) : Is the member in order, Sir, in dealing with the question of procedure and all that ? What the Chief Secretary said about the procedure has nothing to do with the Report.

DEPUTY PRESIDENT : That is a matter of opinion.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : I am coming to the Report, Sir. The Report was submitted to Government. It is not a report of a Select Committee of this House. That is why I said that it is purely an executive matter of the Government, so that this House, a legislative body, has little to do with it.

MR. S. J. NAIR (*Nedumangad*) : May I know whether this question affects the interests of the people ?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : I am perfectly aware of that. In the case of the Education Reforms Committee, the report was placed before this House before the Government adopted any of the recommendations. What I submit is that it would have been better, in such executive matters, if the Government had let us know beforehand, the recommendations that they propose to adopt. The Government are now reversing that position.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether it would be better............

DEPUTY PRESIDENT : Anyhow—

MR. K. R. ELENKATH (*Kalkulam I*) : I have not yet indicated what my question is.

DEPUTY PRESIDENT : You are going to ask him about the procedure. Is it not ?

MR. K. R. ELENKATH (*Kalkulam I*) : No, Sir.

I would like to know from the member whether a discussion in this House will not help the Government to come to a conclusion in regard to the recommendations of the Committee.

DEPUTY PRESIDENT : That also is not relevant.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Still, I respect the opinion of my honourable friend so much that I agree with his view.

DEPUTY PRESIDENT : The Chair has ruled that the question is not relevant, and Mr. Chidambaram Pillai cannot answer it.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I am not answering it. I am merely agreeing with him. (*Laughter.*)

DEPUTY PRESIDENT : Mr. Chidambaram Pillai can only develop his argument and not refer to what Mr. Elenkath has stated.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Even without referring to that, I am of opinion that our suggestions about the Report will be of considerable help to Government in coming to a conclusion.

Anyhow, Sir, the question is so very difficult to me, on personal grounds. I represent the commercial constituency which is composed of all communities. I therefore find it difficult and feel delicate to take any particular stand. I am an elected member, and there is the possibility of my standing again for election. I cannot wound the susceptibility of any community in the State. Therefore, it is more or less difficult for me to comment upon the claims of any community.

DEPUTY PRESIDENT ; I have to make one observation. Mr. Chidambaram Pillai's or any other member's inconvenience or delicacy is not a matter with which the House has anything to do.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I was merely hinting at my delicate position. I shall not dwell upon it any more.

MR. A. THANU PILLAI (*Trivandrum—Rural*): What is the view of the commercial community; trade or public service, which is better and more attractive?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I should say, Sir, that the commercial community is rather sore over this sort of agitation for public services. They wish that some more interest is taken in commerce and industry.

Sir, there is only one attitude adopted by the commercial community so far as the employment of labour is concerned. They want the best hands. (*Hear, hear.*) The business—man does not at all look into religions and communities. He wants the very best person available for the money he pays. That is his only motto. As the Report itself points out, Government is the largest employer of labour. Government must therefore get the best men and women available for heir service. So far as Travancore is concerned, it is absolutely

[Mr. P. Chidambaram Pillai.]

essential that we must take into account the very high literacy prevailing here. We are far in advance of other countries in the matter of education. It is therefore high time that we hold competitive examinations for our civil service. That system was adopted in Mysore long ago, even though that State cannot claim to be as advanced in education and literacy as we are. As a member of the Vellala community I certainly fight shy of examinations, because the Vellala has only a very remote chance in coming out successful in examinations.

MR A THANU PILLAI (*Trivandrum—Rural*) : May I know why the member thinks so?

DEPUTY PRESIDENT : Mr. Chidambaram Pillai is not bound to say why he thinks so. I rule that a member need not always give the reasons which weigh with him in making his observations, although I have no objection to Mr. Chidambaram Pillai answering the question.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : I put it only on personal grounds that, if I had any examination to pass, I would avoid it as a Vellala.

MR. PACODE A. NARAYANA PILLAI (*Eraniel*) : May I know whether the member is aware that we have had the best financiers and Account Officers from the Vellala community?

DEPUTY FRESIDENT : That does not arise.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : I do not deny that fact, but still they might not have been successful in examinations. (*Laughter.*) Sir, there are Nattukottai Chetties who are very great financiers. Still I do not think they would be successful in passing examinations.

DEPUTY PRESIDENT : I have ruled that that question does not arise. Mr. Chidambaram Pillai can therefore proced with his argument.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : As a member of the Vellala community, Sir, my sympathies are with them since they have very little chance of success in competitive examinations But, still I must say, Sir, that Travancore is advanced so far in education that we must have competitive examinations, as they have been having in Mysore for the last so many years, on grounds of expediency.

Therefore I would suggest, of course I am putting forward only my suggestions, that 25 per cent. of the superior services must be thrown open for competitive examination.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*) : On a point of order. It is now 3·30 P. M. and the adjournment motion remains to be taken up for discussion.

DEPUTY PRESIDENT: Mr. Chidambaram Pillai evidently has not finished his speech and he can continue tomorrow. In the meantime we shall proceed to the adjournment motion.

ADJOURNMENT MOTION.

MR. N. E. VARUGHESE (*Tiruvalla I*) :- I move that the business of the House be adjourned to discuss a definite matter of urgent public importance, namely, the situation created by the great deficiency brought about by incorrect statistics being made the basis of calculation for quota of rubber allowed to be exported from Travancore according to the recent Rubber Restriction Scheme.

സർ, ഈ വിഷയത്തെ സംബന്ധിച്ചു ... .

MR. S. J. NAIR (*Nedumangad*) : Sir, on a point of order. The member knows English and he has read out in English also. I want to know whether he could be permitted to address the House in Malayalam

DEPUTY PRESIDENT: There is all the difference in the world between a member knowing to read English and a member speaking in English in this House. How much English or what quantity of English he knows is not a matter which arises before the House. Mr. Varughese read a copy of the letter. That does not mean that he promised a speech in English. Mr. Varughese is at full liberty to make his speech in Malayalam.

MR. N. E. VARUGHESE (*Tiruvalla I*): സർ, ഈ വിഷയത്തെക്കുറിച്ചു ഭിന്നാഭിപ്രായം കൂടാതെ വാദപ്രതിവാദം നടത്തുന്നതിന് അനുമതി തന്നതിന് ഞാൻ ആദ്യമായി എന്റെ നന്ദിയെ പ്രകടിപ്പിച്ചുകൊള്ളുന്നു.

തിരുവിതാംകൂറിൽ റബ്ബർകൃഷി ആരംഭിച്ചിട്ട് ഇപ്പോൾ ഇരുപത്തഞ്ച് വർഷത്തോളമായിരിക്കുന്നു. ഈ ഇരുപത്തഞ്ച് വർഷകാലത്തിനിടക്ക് റബർകൃഷി—

DEPUTY PRESIDENT: I want to make it clear—and I wish the Law Member will give me his assistance—whether one who is allowed to move a motion for adjournment may be permitted to thank the authority for giving it and whether, when permission is refused, to accord an opposite treatment. Of course, I propose to give a ruling on the subject, but I wish to hear the Law Member before doing so

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It is not quite usual for a member to say that he thanks the President for a ruling given on an interpretation of the Rules. Probably the member thanks the Government because I did not offer any objection to his motion for adjournment when it was presented this morning.

DEPUTY PRESIDENT: In that case, what is it that you have done, Mr. Varughese? Have you thanked the Law Member? The Law

[Deputy President.]

Member says that probably Mr. Varughese wanted to thank him. I want to know whether that is a fact or whether he wanted to thank the Government. He is not bound to answer that question, because when he thanked the Government it does not suggest itself to me that he wanted to thank the Law Member.

MR. N. E. VARUGHESE (*Tiruvalla I*): പ്രസിഡൻറിനും ലാമെമ്പർക്കും ഈ സഭയിലുള്ള ഉദ്യോഗസ്ഥാനുദ്യോഗസ്ഥ മെമ്പറന്മാർക്കുമാണ് ഞാൻ നന്ദി പ്രകടിപ്പിച്ചത്.

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I think what he means is that he thanks the House for granting leave; I think that he may do so.

DEPUTY PRESIDENT; I want to know clearly whether Mr. Varughese thanked Government or whether he thanked the House for giving him permission.

സർ, ഈ സഭക്കാണ് നന്ദി പ്രകടിപ്പിച്ചതെന്ന് ഞാൻ രണ്ടുമൂന്നുപ്രാവശ്യം പറഞ്ഞു.

ഈ ൨൫ വർഷക്കാലത്തിനിടക്കു റബ്ബർകൃഷിക്കു പലവിധമായ ഗതിഭേദങ്ങൾ നേരിട്ടിട്ടുണ്ട്. റബ്ബർകൃഷിനിമിത്തം ആദ്യകാലത്തു അമിതമായ ആദായം കിട്ടിവന്നിരുന്നതുകൊണ്ട് യൂറോപ്യന്മാർ ഈ കൃഷിയെ പ്രചാരത്തിൽ വരുത്തുകയും ഇതിനെത്തുടന്ന് നാട്ടുകാരും ഈ തൊഴിലിൽ ധാരാളമായി ഏർപ്പെട്ടുതുടങ്ങുകയും ചെയ്തു. തൽഫലമായി തിരുവിതാംകൂറിൽ റബ്ബർകൃഷി ധാരാളമായി നടപ്പിൽവന്നു. ഈ അവസരത്തിൽ സിലോൺ മുതലായ ഉഷ്ണമേഖലപ്രദേശങ്ങളിലും ഈ കൃഷി ധാരാളമായി പ്രചരിച്ചുവന്നു. ഈ വിധത്തിൽ ലോകത്തിലേക്ക് ആവശ്യമുള്ളതിൽ കൂടുതൽ റബ്ബർ ഉണ്ടാകുകയും തന്നിമിത്തം ഒരുകാലത്തു അതിൻെറ വില ഇടിഞ്ഞു് ആ തൊഴിലിനു അധഃപതനം സംഭവിക്കുകയും ചെയ്തു. അതിലേക്കു പണം മുടക്കിയിട്ടുള്ള ആളുകൾ ഈ അധഃപതനാവസ്ഥയെ ബ്രിട്ടീഷ് ഗവണ്മെൻറിൻെറ ദൃഷ്ടിയിൽ കൊണ്ടുവരികയും തൽഫലമായി സ്റ്റീവൻസൻ പദ്ധതി രൂപവൽക്കരിക്കപ്പെടുകയും ചെയ്തു. ഈ പദ്ധതിയിൽ ചേരാതെ അതിൽനിന്നും മാറിനിന്ന് അതിൻെറ ഗുണഫലം അനുഭവിക്കുന്നതിന് ചില രാജ്യക്കാർ ശ്രമിച്ചതുകൊണ്ട് നഷ്ടംസഹിച്ചുകൊണ്ട് ഈ പദ്ധതിയെ ബ്രിട്ടീഷ് ഗവണ്മെൻറു നടത്തിക്കൊണ്ടുപോകേണ്ടതായിവന്നു. എന്നാൽ ക്രമേണ അതു കൂടുതൽ നഷ്ടമാണെന്നു കണ്ടപ്പോൾ ആ പദ്ധതി പൊടുന്നനവേ പിൻവലിച്ചു. പദ്ധതി ഏർപ്പെടുത്തിയ അവസരത്തിൽ റബ്ബർവ്യവസായം വളരെ ആദായകരമായിത്തീർന്നതിനാൽ റബ്ബർകൃഷി ധാരാളമായി വ

ർദ്ധിച്ചുവന്നു. പദ്ധതി പിൻവലിച്ചപ്പോൾ വീണ്ടും അതു അധഃപതനാവസ്ഥയിൽ ആയി ക്രമേണ റബ്ബറിനു തീരേ വിലയില്ലാതാകുകയും ചെയ്തു. കറയെടുത്തുണക്കി കപ്പൽ കയററി അയയ്ക്കുന്നതിനു ആവശ്യമുള്ള ചിലവിൻെറ പകുതിപോലും അതിനു വിലയായി കിട്ടുന്നതിനു മാർഗ്ഗമില്ലാത്ത നിലയിൽ ഈ കൃഷി നഷ്ടമായിത്തീരുകയും ചെയ്തു. റബ്ബറിനു വിലയുണ്ടായിരുന്ന അവസരത്തിൽ പലരും ധനവാന്മാരായിത്തീർന്നിട്ടുണ്ട്. വില കുറഞ്ഞപ്പോൾ അവരിൽ പലരും ഇൻസാൾവെൻറായിത്തീർന്നു. അതു് വർദ്ധിച്ചുകൊണ്ടുതന്നെയിരിക്കുന്നു. ഈ അധഃപതനാവസ്ഥയ്ക്കു് ഒരു പോംവഴി കണ്ടുപിടിക്കേണ്ടതു് അത്യാവശ്യമായിത്തീർന്നതുകൊണ്ടു് സ്റ്റീവൻസൻപദ്ധതിയിൽ ചേരാതെ മാറിനിന്ന രാജ്യക്കാർ തന്നെ മുന്നിട്ടുവന്നു പ്രവർത്തിച്ചുതുടങ്ങി. ഏതുവിധത്തിലും ഒരു പദ്ധതി തയ്യാറാക്കുന്നതിലേക്കായി അവർ ശ്രമിച്ചു. തൽഫലമായി ഇൻറർ നാഷണൽ റബ്ബർ റസ്റ്റ്റിക്ഷൻകമ്മററി രൂപീകരിക്കയും അവരുടെ വളരെ നാളത്തെ ശ്രമവും സ്വാധീനശക്തിയും പ്രേരണയും നിമിത്തം ഫൻമ്പർ ഏപ്രിൽ ൯൦-ാനു- എല്ലാവർക്കും സ്വീകാര്യമായ ഒരു തീരുമാനം ഈ കമ്മററിയിൽനിന്നും ഉണ്ടാക്കുകയും ജൂൺ ഒന്നാം തീയതിമുതൽ അതിനെ നടപ്പിൽവരുത്തുന്നതിനു നിശ്ചയിച്ചു എല്ലാ രാജ്യക്കാരുടെ പ്രതിനിധികളും ഒപ്പുവയ്ക്കുകയും ചെയ്തിരിക്കുന്നു. ഇൻഡ്യാസാമ്രാജ്യത്തിൽനിന്നു് ആ കമ്മററിയിൽ ആരെങ്കിലും പങ്കെടുത്തിട്ടുണ്ടോ എന്നും ആലോചനകൾ നടത്തിയിട്ടുണ്ടോ എന്നും ഉള്ള സംഗതികളെപ്പററി എനിക്കറിവില്ല.

MR. K. C. KARUNAKARAN (*Nominated*): ഇൻഡ്യയിലെ ഹൈക്കമ്മീഷണർ ആ കമ്മററിയിൽ ഒരു മെമ്പർ ആയിരുന്നു എന്നുള്ളതു് അറിയാമോ?

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇൻഡ്യാഗവണ്മെൻറിൽനിന്നും അദ്ദേഹത്തെ നിയമിച്ചിട്ടുള്ളതായി എനിക്കറിഞ്ഞുകൂടാ. ഇൻഡ്യാഗവണ്മെൻറ് ഈ പദ്ധതി ഇപ്പോൾ സ്വീകരിക്കേണ്ടതായി വന്നിരിക്കുന്നു. അതിൻെറ ഒരുഭാഗമായ തിരുവിതാംകൂറും അതിനു വഴിപ്പെട്ടുതീരും. തിരുവിതാംകൂർ, കൊച്ചി, മലബാർ, ഈ രാജ്യക്കാർക്കു് ഈ പദ്ധതികൊണ്ടു് എത്രമാത്രം ഗുണം സിദ്ധിക്കുമെന്നു അറിയുന്നതിനു് ഇതുവരെ സാവകാശം കിട്ടിയിട്ടില്ല. ഈ പദ്ധതി നടപ്പിൽ വരുത്തുന്നതിനുള്ള ആലോചന മുറുകിവന്നപ്പോൾ റബ്ബറിൻെറ വില സ്വല്പമായി വർദ്ധിച്ചുവന്നു. തൽഫലമായി ഉപേക്ഷിക്കപ്പെട്ടിരുന്ന പലതോട്ടങ്ങളിൽനിന്നും കറയെടുക്കുന്നതിനു ആരംഭിക്കുകയും ചിലവുകഴിച്ചു് അ

[Mr. N. E. Varughese.]

ല്പമായ ആദായം ചിലർക്കു കിട്ടുകയും ചെയ്തിട്ടുണ്ട്. ഇൻറർനാഷണൽ പദ്ധതി അനുസരിച്ചു തിരുവിതാംകൂറിനു ലഭിക്കുന്ന കോട്ടാ എത്രയെന്നും ഇതിൽ ഓരോരുത്തർക്കും കിട്ടുന്ന വീതമെന്തായിരിക്കുമെന്നും അറിയാൻ നിവൃത്തിയില്ലാത്തതുകൊണ്ടു ശരിയായും ക്രമമായും കറയെടുക്കാതെ നിരാശരായിട്ടാണ് റബ്ബർകൃഷിക്കാർ ഇപ്പോൾ സ്ഥിതിചെയ്യുന്നതു. ഇൻറർനാഷണൽകമ്മററി ഇൻഡ്യയിൽനിന്നും ഫെബ്രുവരി-ൽ കപ്പൽ കയററി അയയ്ക്കുന്നതിനു അനുവദിച്ചിട്ടുള്ള ബേസിക് കോട്ടാ ൬,൫൦൦ ടൺ റബ്ബർ മാത്രമാണ്. ഇതിലും വളരെ കൂടുതലായി റബ്ബർ കയററി അയക്കുന്നതിനുള്ള അവകാശം അനുവദിച്ചുകിട്ടത്തക്കവിധത്തിൽ അത്ര അധികം സ്ഥലങ്ങളിൽ ഇവിടെ റബ്ബർകൃഷി നടത്തിവരുന്നുണ്ട്. ഈ രാജ്യത്തു റബ്ബർകൃഷി നടത്തിവരുന്ന സ്ഥലത്തിൻെറ ശരിയായ ഏക്കറേജും വിളവുകണക്കും സംബന്ധിച്ചുള്ള ശരിയായ വിവരം കമ്മററിയെ അറിയിച്ചിരുന്നു എങ്കിൽ ഇപ്പോഴത്തേതിലും വളരെ കൂടുതലായ ഒരു കോട്ടാ അനുവദിച്ചുകിട്ടുമായിരുന്നു എന്നുള്ള സംഗതിയാണ് എനിക്കു ഈ സഭയുടെ ദൃഷ്ടിയിൽ കൊണ്ടുവരുവാനുള്ളതു. ബ്രിട്ടീഷ്മലബാർ, കൊച്ചി, തിരുവിതാംകൂർ ഈ മൂന്നു രാജ്യത്തിനും കൂടിയാണ് ൬,൫൦൦ ടൺ അനുവദിച്ചിട്ടുള്ളതു്. ആ സ്ഥിതിക്കു തിരുവിതാംകൂറിനു അതിൻെറ മൂന്നിൽ ഒരുഭാഗമേ കിട്ടുകയുള്ളു എന്നു പറയാമെങ്കിലും തിരുവിതാംകൂറിൽ റബ്ബർകൃഷി കൂടുതലായി നടത്തിവരുന്നതുകൊണ്ടു് ഇന്നു കിട്ടിയിട്ടുള്ള അവകാശത്തിൽ ൩-ൽ ൨ ഭാഗത്തിൽ കൂടുതൽ തിരുവിതാംകൂറിനു കിട്ടുമെന്നു ഞാൻ വിചാരിക്കുന്നില്ല. എന്നാൽ നമ്മുടെ അയൽരാജ്യമായ സിലോണിനു കിട്ടിയിട്ടുള്ള അവകാശം ൭൭,൫൦൦ ടൺ റബ്ബറാണ്. മുൻപുള്ള ൫ കൊല്ലങ്ങളിൽ സിലോണിൽനിന്നു കയററിഅയച്ചിട്ടുള്ള റബ്ബറിൽ ഒട്ടും കുറവില്ലാത്ത ഒരു സംഖ്യ കയററി അയക്കുന്നതിനുള്ള കോട്ടാ സിലോണിനു കിട്ടിയിട്ടുണ്ടെന്നാണ് പത്രപ്രസ്താവനകളിൽനിന്നു മനസ്സിലാക്കുന്നതു്.

DEPUTY PRESIDENT: Does the member make himself responsible for that statement?

MR. N. E. VARUGHESE (*Tiruvalla I*): Yes.

DEPUTY PRESIDENT: Yes, you may proceed.

MR. N. E. VARUGHESE (*Tiruvalla I*): സിലോണിനെ സംബന്ധിച്ചു് ഒരു കുറവും വന്നിട്ടില്ല. തിരുവിതാംകൂറിനുമാത്രം കിട്ടുന്നതു് ൨൨,൭൦൦-റാത്തൽ റബ്ബർമാത്രമാണ്. തിരുവിതാംകൂറിൽ എത്ര

ഏക്കർ റബ്ബർകൃഷി നടത്തിവരുന്നു എന്നു അറിയുന്നതിനു ശരിയായ കണക്കുകൾ കാണുന്നില്ല. ൧൧൦൩, ൧൧൦൬, ൧൧൦൭, ഈ ആണ്ടുകളിലെ രാജ്യറിപ്പോർട്ടുനോക്കിയാൽ ൧൧൦൩-ൽ ൧,൩൧,൪൭൭ ഏക്കർ സ്ഥലവും, ൧൧൦൬-ൽ ൩൪,൧൧൨ ഏക്കർ സ്ഥലവും ൧൧൦൭-ൽ ൯൯,൭൩൨ ഏക്കർ സ്ഥലവും റബ്ബർകൃഷി നടത്തിയിട്ടുള്ളതായി കാണുന്നു.

MR. K. A. NARAYANA PILLAI (*Todupuzha cum Devicolam*) : May I know from the member whether these are the planted areas or tapping areas?

MR. N. E. VARUGHESE (*Tiruvalla I*): റിപ്പോർട്ടിൽ കാണുന്നതു് റബ്ബർ കൃഷി ഉള്ള സ്ഥലംഎന്നാണു്.

ഈ ൩,൭൭൦-ടൺ റബ്ബർകയററി അയക്കുന്നതിന് അനുവാദം സിദ്ധിച്ചതു് ഏതെങ്കിലും കണക്കിനെ അടിസ്ഥാനപ്പെടുത്തിയായിരിക്കണമെന്നു വിചാരിക്കാതെ നിവൃത്തിയില്ല. ഇവിടത്തെ ഓരോ റിപ്പോർട്ടിലും ലക്ഷക്കണക്കിനുള്ള വ്യത്യാസങ്ങൾ കാണുന്നുണ്ടു്. ഈ നിലയിൽ ഏതുറിപ്പോർട്ടിനെ അടിസ്ഥാനമാക്കിയാണ് കമ്മററിക്കാർ ഈ കണക്ക് നിശ്ചയിച്ചതെന്നു കണ്ടുപിടിക്കാൻ യാതൊരുനിവൃത്തിയും ഇല്ല. തിരുവിതാംകൂറിലുള്ള റബ്ബർ കൃഷിസ്ഥലങ്ങളുടെ വിസ്തീർണ്ണം എത്രയാണെന്നു് ശരിയായി കണക്കെടുക്കേണ്ടിയിരിക്കുന്നു. ഒരുലക്ഷം ഏക്കർ സ്ഥലത്തിൽ കുറയാതെ തിരുവിതാംകൂറിൽ റബ്ബർകൃഷി നടത്തുന്നുഎന്നു് ധൈര്യമായി പറയാവുന്നതാണു്. ഒരേക്കർ സ്ഥലത്തുനിന്നും ൪൦൦-റാത്തൽ റബ്ബർ കിട്ടുമെന്നു കണക്കാക്കിയാലും വളരെ കൂടുതലായി തിരുവിതാംകൂറിൽനിന്നും റബ്ബർ എടുക്കാനുണ്ടെന്നു കാണാവുന്നതാണു്.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : ശരാശരി നാനൂറ് റാത്തൽ റബ്ബർ ഒരേക്കർ സ്ഥലത്തുനിന്നും കിട്ടുമോ?

MR. N. E. VARUGHESE (*Tiruvalla I*): കറഎടുക്കുന്നതിനു ആരംഭിക്കുന്ന അവസരത്തിൽ ൪൦൦ റാത്തൽ കിട്ടിയില്ലെങ്കിലും നാലഞ്ചു വർഷം കഴിഞ്ഞാൽ ൪൦൦ റാത്തലിൽ കുറയാതെ ഒരേക്കർ സ്ഥലത്തുനിന്നും റബ്ബർകിട്ടുന്നതാണു്. ആദ്യകാലത്തു ൧൭൦-മുതൽ ൨൦൦-വരെ റാത്തൽ റബ്ബർ കിട്ടുകയും അതു വർദ്ധിച്ചു് ൪൦൦ റാത്തൽവരെ ആകുകയും ചെയ്യും. ഈ കണക്കനുസരിച്ചു് തിരുവിതാംകൂറിൽ ഇപ്പോൾ കിട്ടിയിരിക്കുന്ന അവകാശം എത്രയോ തുച്ഛമാണെന്നു മനസ്സിലാക്കാവുന്നതാണു്.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): What quota of the total produce does Travancore make according to the member?

MR. N. E. VARUGHESE (*Tiruvalla I*): ഞാൻ ആദ്യമായിത്തന്നെ പ്രസ്താവിച്ചിട്ടുണ്ട്. തിരുവിതാംകൂർ, കൊച്ചി, മലബാർ, ഈ രാജ്യങ്ങളിൽ എത്ര ഏക്കർ സ്ഥലം റബ്ബർ കൃഷിനടത്തിവരുന്നു എന്നുള്ള കണക്കെടുക്കുന്നതിനു സൌത്തിൻഡ്യൻ റബ്ബർ റസ്ട്രിക്ഷൻ കമ്മററിക്കാർ ശ്രമംചെയ്തുവരുന്നുണ്ട്. അതിൻെറ ഫലം ഒരാഴ്ചയ്ക്കകം അറിയാമെന്നു തോന്നുന്നു. ഏതായാലും ഇൻഡ്യയിൽ ഉണ്ടാകുന്നതിൻെറ മൂന്നിൽ രണ്ടുഭാഗം റബ്ബർ തിരുവിതാംകൂറിൽ ഉണ്ടാകുന്നുണ്ടെന്നൂഹിക്കാം. അതിന്നനുസരണമായ ഒരു ശതമാനം ക്വോട്ട തിരുവിതാംകൂറിനു കിട്ടേണ്ടതാണ്. കമ്മററിക്കാരുടെ ആവശ്യാനുസരണം തിരുവിതാംകൂറിൽ ചില നിയമങ്ങൾ പാസാക്കിക്കൊടുക്കണമെന്നും മററുമുള്ള നിർദ്ദേശങ്ങൾ അവർ പുറപ്പെടുവിച്ചിട്ടുണ്ട്. കൂടാതെ റബ്ബർകൊണ്ടു പുതിയ വ്യവസായങ്ങൾ നടത്തുന്നതിനുള്ള മാർഗ്ഗങ്ങളെ പററി അന്വേഷണങ്ങൾ നടത്തുന്നതിനു സഹായമായി ഒരു സെസ്സ് ഏർപ്പെടുത്തുന്നതിനും കമ്മററിക്കാർ ശുപാർശ ചെയ്തിട്ടുണ്ട്. ഇവയിൽനിന്നും തിരുവിതാംകൂറിനു ഒഴിഞ്ഞുനില്ക്കാൻ സാധിക്കയില്ല. കമ്മിററിയിൽ തിരുവിതാംകൂറിൻെറ സ്വാധീനശക്തി പ്രയോഗിക്കുന്നതിന് അവസരം ഉണ്ടായിരുന്നു. ആ അവസരത്തെ നഷ്ടപ്പെടുത്തിയതിൻെറ ഫലമായിട്ടാണു ഇവിടത്തെ അവകാശം കുറഞ്ഞുപോയിട്ടുള്ളതു്. ഈ നഷ്ടം ഈ കാലസ്ഥിതിക്കു വളരെ ഭയങ്കരമായിട്ടുള്ളതാണ്. ഈ രാജ്യത്തു് റബ്ബർകൃഷിനടത്തുന്ന സ്ഥലങ്ങളുടെ ശരിയായ കണക്കു കമ്മററിക്കുകൊടുത്തിരുന്നു എങ്കിൽ നമുക്കു ന്യായമായ ക്വോട്ട അനുവദിച്ചുകിട്ടുമായിരുന്നു. അങ്ങനെ ചെയ്യുന്നതിനുള്ള അവസരം ഇനിയും നഷ്ടപ്പെട്ടുപോയിട്ടില്ലെങ്കിൽ ഗവണ്മെൻറു ആ വിഷയത്തിൽ പ്രവേശിച്ചു വന്നുപോയിട്ടുള്ള കുറവിനെ ശരിപ്പെടുത്തി ന്യായമായികിട്ടേണ്ട അവകാശത്തെ വാങ്ങിക്കുന്നതിനു എത്രയും വേഗത്തിൽ ശ്രമിക്കണമെന്നുള്ള സംഗതി ഗവണ്മെൻറിൻെറ ദൃഷ്ടിയിൽ കൊണ്ടുവരുന്നതിനാണ് ഞാൻ ഈ മോഷൻ അവതരിപ്പിച്ചിട്ടുള്ളതു്.

MR. K. C. KARUNAKARAN (*Nominated*): ഓരോ രാജ്യക്കാർക്കും ഏതു തത്വം അനുസരിച്ചാണ് ക്വോട്ട നിശ്ചയിക്കുന്നതു്?

MR. N. E. VARUGHESE (*Tiruvalla I*): പലതരത്തിന്മേലും അതു് കൊടുക്കുന്നുണ്ട്. പിണങ്ങിനില്ക്കുന്നവരെ ഇണക്കിശരിപ്പെടുത്തുന്നതിനു മററുള്ളവർക്കു ചെയ്തുകൊടുക്കാത്തചില സൌജന്യങ്ങൾ കൂടിചെയ്യുന്നുണ്ട് എന്നാണ് എൻെറ അറിവ്. ഈ കമ്മിററിയിൽ തിരുവി

താംകൂറിന്റെ കാര്യംപറയുന്നതിനുതക്കസമയത്തു ആളില്ലാതെ വന്നതുകൊണ്ടാണ് ഈ നഷ്ടംവന്നിട്ടുള്ളത്. തിരുവിതാംകൂറിൽ യൂറോപ്യന്മാരുടെയും നാട്ടുകാരുടേയും തോട്ടങ്ങൾ സ്ഥിതിചെയ്യുന്നുണ്ട്. നാട്ടുകാർക്കു ഒരേക്കർമുതൽ നൂറേക്കർവരെ റബ്ബർകൃഷിയുണ്ട്. യൂറോപ്യന്മാർ ശരിയായ കണക്കുകൾ വച്ചിട്ടുണ്ട്. ആ കണക്കിനെ അടിസ്ഥാനപ്പെടുത്തി ആണ് അവർക്കു കോട്ടാ നിശ്ചയിക്കാൻ പോകുന്നതെന്നു തോന്നുന്നു.

തങ്ങളുടെകാര്യം വേണ്ടസ്ഥാനങ്ങളിൽ അറിയിക്കുന്നതിനു അറിഞ്ഞുകൂടാത്ത നാട്ടുകാരായ കൃഷിക്കാരും തിരുവിതാംകൂറിൽ റബ്ബർകൃഷി നടത്തിവരുന്നുണ്ട്. അവർക്കു നഷ്ടം വരാതെയും ന്യായമായ കോട്ടാ ലഭിക്കത്തക്കവിധത്തിലും അവരെക്കൂടികരുതി മേലാലുള്ള സംഗതികൾ പ്രവർത്തിക്കണം. ഈവകസംഗതികളെക്കൊണ്ട് ഈ സഭയുടെ നടപടികൾ നിറുത്തിവയ്ക്കണമെന്നാണ് എന്റെ മോഷൻ. റിക്കാർഡു മൂലമുള്ള ശരിയായ കണക്കുകൾ ഇല്ലാത്തതുകൊണ്ടു വന്നുപോയിട്ടുള്ള കുറവുകളെ പരിഹരിച്ച് കൂടുതൽ വിവരങ്ങൾ സഭയിൽ പ്രസ്താവിച്ച് ഈ മോഷനെ സ്വീകരിക്കണമെന്ന് എന്റെ സ്നേഹിതന്മാരായ സഭാംഗങ്ങളോട് ഞാൻ അഭ്യർത്ഥിക്കുകയും ചെയ്യുന്നു.

MR. EDAVANATT S. PADMANABHA MENEON (*Shertala I*): ഗവൺമെന്റിൽനിന്നും ഉടനടി എന്താണ് ചെയ്യേണ്ടത്?

MR. N. E. VARUGHESE (*Tiruvalla I*): ഇന്നു നിശ്ചയിച്ചിരിക്കുന്ന കണക്കു എന്തിനെ അടിസ്ഥാനപ്പെടുത്തിയാണെന്നു നോക്കി കണക്കിൽ തെറ്റുണ്ടെങ്കിൽ അതിനെ നിറുത്തിച്ചു ശരിയായ കോട്ട വാങ്ങാൻ ശ്രമിക്കണം.

DEPUTY PRESIDENT . Mr. Varughese, I have given you a much longer time than is usually allowed. You have taken 25 minutes.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : Sir, I support the motion before the House. Before I begin to advance the arguments in support of the motion, I request the Chair to allow me to speak in Malayalam. Several ideas are moving in my mind. But I am unable to express them. I find it difficult to find suitable words to express the ideas in my mind.

DEPUTY PRESIDENT : What is the practice, Mr. Kayalam Paramesvaran Pillai ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Once a member elects to speak in English, some weighty reason must be shown why he should be allowed to speak in some other language. Now Mr. Raman Pillai says that, because of this particular motion, he should be allowed to speak in Malayalam.

DEPUTY PRESIDENT: Has there been any special ruling on the subject?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No special ruling I can think of. But I belive that the Chair has a discretion in the matter.

DEPUTY PRESIDENT: I have heard the Law Member on the subject. I am in favour of allowing the liberty to members to speak in such language as they like. Particularly when a member comes forward and says that he is not proficient in English and when there is not a hall-mark like a University degree attaching to that member, it will be a safe test. I am in favour of allowing that liberty. Mr. Raman Pillai may speak in Malayalam.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*). സർ, മലയാളത്തിൽ പ്രസംഗിക്കാൻ അനുവദിച്ചതിൽ എനിക്കുള്ള കൃതജ്ഞതയെ ആദ്യമായി പ്രകാശിപ്പിച്ചുകൊള്ളട്ടെ.

സർ, ഇവിടെ വാദവിഷയമായിരിക്കുന്ന സംഗതിയുടെ തൽക്കാലാവസ്ഥ നോക്കുന്നപക്ഷം ഇതു ഏററവും ഗൌരവമേറിയതും ഗവണ്മെൻറു പ്രത്യേക ശ്രദ്ധയോടുകൂടി പ്രവൃത്തിക്കേണ്ടതുമായ ഒരുവിഷയമാകുന്നു. റബ്ബറിനെസംബന്ധിച്ചു തിരുവിതാംകൂറിലേക്കു കോട്ട അനുവദിച്ചിട്ടുണ്ടെന്നും എൻെറ മാന്യസ്നേഹിതൻ ഇവിടെ പറയുകയുണ്ടായി. ദക്ഷിണഇന്ഡ്യയിലേക്കനുവദിച്ചിട്ടുള്ളതാണു ൩,൪൭൦ ടൺ. അതിൻെറ ഒരു ശതമാനംമാത്രമേ നമുക്കയയ്ക്കുവാൻ നിർവാഹമുള്ളു. ആദ്യത്തെ ജൂൺ ജൂലായി ഈ രണ്ടുമാസങ്ങളിൽ ൫൦ ശതമാനം അയക്കാനവകാശമുണ്ടു; ആഗസ്റ്റ് സെപ്ററമ്പർ ഈ രണ്ടുമാസങ്ങളിൽ ൬൦ ശതമാനം അയക്കാൻ അവകാശമുണ്ടു. അക്ടോബർ നവമ്പർ ഈ മാസങ്ങളിൽ ൪൦ ശതമാനം അയക്കാനവകാശമുണ്ടു. ഇങ്ങനെ കുറച്ചുകുറച്ചാണു കയററുമതി ചെയ്യുവാനുള്ള അവകാശം നിശ്ചയിച്ചിരിക്കുന്നതു.

MR. K. C. KARUNAKARAN (*Nominated*): ഒരാണ്ടത്തേയ്ക്കു ആകെ ൩,൪൭൦ ടൺ അനുവദിച്ചിട്ടില്ലേ?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): പറയാം. ൧൨ മാസത്തേയ്ക്കാണു ൩,൪൭൦ ടൺ റബ്ബർ ദക്ഷിണ ഇൻഡ്യയിലേക്കു നിശ്ചയിച്ചിട്ടുള്ളതു. അതിൽ ഏഴുമാസത്തേയ്ക്കുള്ള വീതം അയയ്ക്കാനേ നമുക്കവകാശമുള്ളു. റബ്ബറിനു നല്ലവിലയുണ്ടായിരുന്ന കാലത്തു ധാരാളംപേർ അതിൽനിന്നും പണം സമ്പാദിച്ചു എന്നു എൻെറ സ്നേഹിതൻ ഇവിടെ പറയുകയുണ്ടായി. അതിനിടയ്ക്കു ക്ഷയിക്കയും ചെ

സ്റ്റ. അഡ്മിനിസ്ട്രേഷൻറിപ്പോർട്ടിൽ റബ്ബർകൃഷിചെയ്യുന്ന സ്ഥലങ്ങളുടെ കണക്കുചേർത്തിരിക്കുന്നതിൽ പിശകുപററിയിട്ടുണ്ടെന്നു എൻെറ സ്നേഹിതൻ പറഞ്ഞതിനുകൂടി ഞാൻ ഇവിടെ സമാധാനംപറയാം. ൧൯൨൫-൨൬, ഈ കൊല്ലങ്ങളിലാണ് റബ്ബറിനു വിലകൂടിയിരുന്നതു്. ഈകാലത്തു പലരും റബ്ബർകൃഷിതുടങ്ങി. എന്നാൽ സർക്കാർ കണക്കിൽ ഉള്ളതു റബ്ബർകരമുള്ള വസ്തുക്കൾമാത്രമാണ്. റബ്ബർകരമില്ലാതെ, അതായതു സർക്കാർകണക്കിൽ കൊള്ളാതെ, റബ്ബർകൃഷിയുള്ള ഭൂമികൾ ധാരാളമുണ്ടു്. കുറഞ്ഞതു കരംചുമത്തിയിട്ടുള്ള ഭൂമികളുടെ ഇരട്ടിഭൂമികൾ കരംചുമത്താതെ റബ്ബർകൃഷിനടത്താറുണ്ടു്. അതു അരഏക്കർമുതൽ ൨൦ ഏക്കർ വരെ വിസ്തീർണ്ണമുള്ള സ്ഥലങ്ങളാണ്. സർക്കാർ കണക്കിൽകൊണ്ട വസ്തുക്കളുടെ കണക്കനുസരിച്ചാണ് ക്വോട്ടാ നിശ്ചയിച്ചിട്ടുള്ളതു്. മററുറബ്ബർകൃഷിയുള്ള ഭൂമികളെപ്പററി ക്വോട്ടാ നിശ്ചയിച്ച കമ്മററിക്കാർക്കു യാതൊരുഗ്രാഹ്യവുമില്ല. സർക്കാർ കണക്കിൽ കൊള്ളാത്ത റബ്ബർഭൂമികളുടെ കണക്കുകൂടി എടുക്കുന്നപക്ഷം നമുക്കു കൂടുതൽ റബ്ബർ കയററുമതി ചെയ്യുന്നതിനുള്ള അവകാശം കിട്ടുമായിരുന്നു. സിലോണിൽ എഴുപത്തിഏഴായിരത്തിൽ ചില്വാനം ടണ്ണിനു അവകാശമുണ്ടെന്നു എൻെറ സ്നേഹിതൻ പറഞ്ഞു. എൻെറ അന്വേഷണത്തിൽ കൊളമ്പിലുള്ള റബ്ബർഭൂമികളുടെ വിസ്തീർണ്ണത്തിൽ അധികം കുറയാത്ത വിസ്തീർണ്ണമുള്ള റബ്ബർഭൂമികൾ ഈനാട്ടിൽ ഉണ്ടെന്നാണ് അറിഞ്ഞതു്. ഇതിനെസംബന്ധിച്ച് സിലോണിലെ ഒരു ലീഗൽ അഡ്വൈസറുമായി ഞാൻ എഴുത്തുകുത്തു നടത്തിക്കൊണ്ടിരിക്കുന്നതുകൊണ്ടു് പൂർണ്ണമായവിവരം എനിക്കുകിട്ടാനിടയുണ്ടു്. അതിൽ ഗവണ്മെൻറു ആദ്യമായി ചെയ്യേണ്ടതു് ഇവിടെ എത്രഏക്കർസ്ഥലത്തു റബ്ബർകൃഷിചെയ്യുന്നുണ്ടെന്നുള്ളതിൻെറ ഒരുകണക്കു പകതി ഉദ്യോഗസ്ഥന്മാരെ ചുമതലപ്പെടുത്തി എടുക്കണം എന്നുള്ളതാണ്.

പിന്നീടു എൻെറസ്നേഹിതൻ യൂറോപ്പ്യൻ തോട്ടക്കാരുടെ കണക്കനുസരിച്ചാണ് ക്വോട്ടാനിശ്ചയിച്ചതെന്നു പറഞ്ഞു. യൂറോപ്പ്യൻതോട്ടക്കാരെ അങ്ങിനെ വകതിരിച്ചു പറഞ്ഞിട്ടുകാര്യമില്ല. നാട്ടുകാരായ തോട്ടക്കാർ യൂറോപ്പ്യന്മാരെപോലെ ബിസിനസ്സ്ലെക്കായിട്ടുള്ളവരല്ല. യൂറോപ്പ്യൻതോട്ടക്കാർ ശരിയായകണക്കുവച്ചിട്ടുണ്ടു്. പ്ലാൻറുചെയ്ത കാലം മുതലുള്ള കണക്കുവെക്കറിയാം. നമ്മുടെ ചില്ലറതോട്ടക്കാർക്കും ആ ക്രമം അനുസരിച്ചുള്ള തുകകിട്ടത്തക്കവണ്ണം എഴുത്തുകുത്തു നടത്തേണ്ടതു ഗവണ്മെൻറിൻെറ കടമയാകുന്നു.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): കോട്ടാ നിശ്ചയിക്കുന്നതു ഭൂമിയുടെ വിസ്തീർണ്ണമനുസരിച്ചാണോ അതല്ല റബ്ബർ എടുക്കുന്നതനുസരിച്ചാണോ ?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): വിസ്തീർണ്ണമനുസരിച്ചാണ്. എന്നാൽ ശതമാനകണക്കു സൂക്ഷിച്ചിട്ടുള്ള ആളുകൾക്കു അവരുടെ കണക്കിൽ കാണുന്ന തുകയെ അടിസ്ഥാനപ്പെടുത്തി ഒരലവൻസു കൂടി കണ്ടാണ് കോട്ടാനിശ്ചയിക്കുന്നതു്.

DEPUTY PRESIDENT: "കോട്ടാ" എന്നുവച്ചാൽ എന്താണ് ?

MR. R. RAMAN PILLAI (*Changanachery* cum *PeermadeII*): ഇത്ര റബ്ബറുണ്ടാവുകയുള്ളു എന്നു നിശ്ചയിച്ചു അതിന്റെ ഒരംശം എക്സ്പോർട്ടുചെയ്യുന്നതിനു നിശ്ചയിക്കുന്ന ഒരു തുകയാണ് കോട്ടാ.

അതിനാൽ ഇവിടെയുള്ള റബ്ബർ കൃഷിചെയ്യുന്ന ഭൂമികളുടെ വിസ്തീർണ്ണം ആദ്യമായി തിട്ടപ്പെടുത്തണം. റബ്ബർ പ്ലാന്റുചെയ്ത കാലം മുതൽ അതിന്റെ പഴക്കം പോലെ കൂടുതൽ റബ്ബർ കിട്ടാൻ അവകാശമുണ്ടു്. അതായതു കണക്കുവച്ചിട്ടുള്ള തോട്ടക്കാരുടെ കണക്കിന്റെ റേററനുസരിച്ചു കിട്ടാൻ എഴുത്തുകുത്തു നടത്തണം. എന്റെ സ്നേഹിതർ പലരും അപേക്ഷകൾ കൊടുത്തിട്ടുണ്ടു് എന്നും അതു തിട്ടംവരുത്തിവരുന്നു എന്നും ഇവിടെ പറഞ്ഞു. അപേക്ഷകളെ ഞാൻ ലേശവും വിശ്വസിക്കുന്നില്ല. ൧൦൦-ൽ കുറയാതെയുള്ള അപേക്ഷകൾ ഞാൻ തന്നെ എഴുതി കൊടുത്തിട്ടുണ്ടു്. ഒരേക്കർ കൃഷിയുള്ളവൻ രണ്ടേക്കർ കൃഷിയുണ്ടെന്നു പറയുവാൻ സന്നദ്ധനാണ്. അതു കൊള്ളുകയില്ല എന്നു പറഞ്ഞു അവരെ ഗുണദോഷിച്ചു എന്റെ അറിവിൽ പെട്ടിടത്തോളം ഞാൻ ശരിപ്പെടുത്തിയിട്ടുണ്ടു്. ന്യായമായ കോട്ടാകിട്ടാൻ ഗവൺമെന്റ് ശ്രമിച്ചില്ലെങ്കിൽ നമുക്കു സാരമായ നഷ്ടം ഉണ്ടാകും; ഇവിടെ ഉണ്ടാകുന്നതിൽ ഒരു ശതമാനം മാത്രമേ ഇപ്പോൾ കയററുമതി ചെയ്യുവാൻ അനുവദിച്ചിട്ടുള്ളു. അതിനാൽ ഗവൺമെന്റു വേണ്ടതു ചെയ്യണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഞാൻ ഈ പ്രമേയത്തെ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. K. C. KARUNAKARAN (*Nominated*): Sir, I beg to support the adjournment motion moved by Mr. N. E. Varughese. One of the most important causes that intensified the economic depression in this country is the abnormal fall in the price of rubber. Some months ago, when the Tea Restriction Scheme came on, everybody in Travancore looked for a better day, especially in view of the fact that the price of the products of our cocoanut tree of the various areas was going down day by day. Mr. Damodaran Asan put an important

question to Mr. Raman Pillai with regard to 'quota'. What I understand with regard to quota is that it applies only to the rubber exported from our ports and not to the production at all. That is what I understand by this; and I do not think any International Committee can restrict the production of a commodity, especially in regard to a commodity like rubber. I asked the mover of the motion what the main consideration that made this International Rubber Restriction Scheme to give quota to various countries was and he said there are very many reasons.

Take Siam and Sarawak for example. Siam has less acreage of rubber cultivation than Travancore, but she gets a quota of 28 thousand Tons during 1934. Sarawak, a comparatively smaller country than Siam, gets 15 thousand tons during 1934. There is a political aspect in the matter. These two countries are also members in the International Restriction Rubber Committee.

Ceylon did not take part in the Ottawa Conference and she is not bound down by its decisions and she is having her own way in Imperial economic problems. This is one of the reasons that weighed with the International Committee to allow such a big quota to Ceylon to the extent of 77 thousand tons.

With regard to South India, I find in 1934 the extent of quota comes to 6,850 tons only, rising at the end of the fifth year to just over 8,000 tons.

Now, Mr. Varughese pointed out very clearly the area under rubber cultivation in Travancore during the three years, 1106, 1107 and 1108. Taking an average, the cultivable area comes to about 95 thousand acres. Calculating the production at 300 pounds per acre, the maximum output of rubber in Travancore would be about 12,800 tons. If you compare the quota of our country with Siam, the quota our country, though containing greater acreage, is less. It is only a meagre figure. It is all the more regrettable to find that even a backward country like Siam gets more quota of rubber than Travancore and this is because of their power for bargaining.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) Is the member aware that the figure for the whole of South India, including Travancore, is only 8,000 tons?

MR. K. C. KARUNAKARAN (*Nominated*): According to the interpretation of Mr. Varughese, Travancore can produce something like 12,800 tons. Even this figure is a meagre one. Again, when we consider the amount of labour and capital invested in the rubber plantation industry, it is the primary duty of our Government, in view of the great fall in the price of agricultural products, to see that an appropriate quota is fixed for Travancore. For countries like India and Federated Malaya States, the Restriction Committee's basis for calculation of quota is, I understand, to strike an average from the export figures for the last three years or so. When the price of rubber fell down, most of the Travancore rubber producers gave up the estates and never cared for them for the last few years.

We are unable to get accurate export figures for the last three years. In the last year's Administration Report, I find the export figure for 1108 was about 700 tons less than that of the preceding year 1107. That shows that the majority of our Travancore rubber producers could not go on producing rubber owing to the uneconomical price rubber was fetching during those three years. A difficult situation would arise if our Government does not take up this question carefully and seriously. The Chairman of the Dunlop Rubber Company, Sir Eric Geddes, while addressing a general meeting of the company, said that, as long as Brazil and Liberia stand outside the Rubber Restriction Scheme, the price of rubber may go down at any time as he anticipates American interests coming up. If that happens, the only course left to the International Committee will be either to get the rubber interest of Brazil and Liberia into the Scheme or to allow them to go on as they like; in the latter case, the Committee has to bring down the quota for all countries correspondingly; our quota is bound to get reduced still further. Countries like Siam and Sarawak will not allow themselves to get their quotas brought down. Recently the Government of India considered the question of importation of Siamese rice into India and asked Siam to slightly restrict its imports; Siam did not agree. We must also fight for the increase of quota and appeal to the Committee for a reconsideration. Otherwise, we will be nowhere. So I request our Government to study the question once more, take statistics in the matter and represent to the Government of India and the Committee for reconsideration of the whole matter and they have also to foresee the consequences that might happen to our country in the great scheme of things adopted by the Restriction Committee, should we fail to secure our legitimate share.

MR. R. SAMBASIVA AIYAR (*Kunnatnad II*): Sir, we have been for some time reading in the papers about the International Scheme of Restriction for Rubber.

Our country produces a large quantity of rubber and so we are intimately interested in the restriction scheme. It is the duty of our Government to see that Travancore gets its due share in the matter of quota. It seems Travancore has come to certain agreements with the Restriction Committee. I beg to draw the attention of the House to an Associated Press message found in the *Madras Mail* of 23rd May, which reads.

> "The Governments of Cochin, Travancore, Mysore, Madras and Burma are understood to have agreed to the restriction of rubber exports. While the restriction scheme will operate from June 1, the Government of India will bring before the Legislative Assembly early in August a comprehensive measure dealing with the production of rubber in areas belonging to the Governments who have expressed their agreement with the scheme."

As to what exactly are the terms of the agreement, we do not know. Nor do we know anything about the quota fixed for Travancore. The figures showing the exact area under rubber cultivation in the Administration Reports of the years 1106 and 1107 are conflicting, as pointed out by Mr. Varughese. It is our Government that supplied,

to the Committee, figures about the area under cultivation of rubber. How those figures were arrived at and whether they are correct are problems that confront us. I think it was due to mistaken figures supplied by our Government that the rubber quota for Travancore has fallen down very low. I request Government to go into the question once again and obtain correct statistics in the matter. In fact, we do not know where we are on the subject. I request the Government member to explain the part played by the Government so far in the matter.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, at the outset I may say, on behalf of Government, that they are in full sympathy with the object of the motion before the House. Government do realise the necessity of pressing upon the attention of the International Rubber Restriction Committee to allot to Travancore the quota which is legitimately due to her. In answer to Mr. Sambasiva Aiyar, I may say that the Government have not finally agreed to the details of the Rubber Restriction Scheme. They have only given their consent provisionally to the general outlines of the scheme. But the matter is still under correspondence as regards details. The quota to be allotted to our State has not been finally agreed to by the Government.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Is the quota now allotted to the State based upon the information supplied by the Travancore Government?

RAO SAHIB DR. N. KUNJAN PILLAI ((*Chief Secretary to Government*): I am coming to that point. But in answer to the last speaker, I may assure him that the Government have not yet finally agreed to the scheme. The broad outlines of the scheme only have been settled. The details are under investigation and the final reply of this Government has not yet been sent to the Government of India.

Now regarding the quota allotted to the State, I must admit, Sir, that the figures given in our official publications are not absolutely correct. But I do not think that there is such disparity between the figures of the various years as has been pointed out by Mr. Varughese. I do not know where he got these figures from. From the Statistical Volumes before me, I find that the acreage under rubber is as follows:—

1106	...	60,428 acres.
1107	...	64,113 ,,
1101	...	59,862 ,,

There is some difference between these figures, but it may be due to either fresh plantations having come into existence or old plantations having gone out of existence. It may also be due to mistakes in the figures.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): It is seen from statistics that all the rubber estates are in Devicolam.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): In Devicolam Division, the rubber estates are mostly in Peermade, there are very few in Devicolam.

I have already said that the figures cannot be taken to be absolutely correct. You know that these figures are collected by the Revenue Department. It is the Pakuthi staff that does the work. I do not know what purpose will be served by asking them to collect figures once again. The figures sent up by them are the figures published in the Statistical Volumes. True there is some difference between the figures for different years. That is unavoidable. On this basis of these figures, the average from 1106-1108 comes to somewhere about 60 thousand acres in the whole of Travancore. That, I believe, is the area which is taken into account in fixing the quota. The total area under rubber in South India is about 88 thousand acres. Out of the 88 thousand acres for South India, the area in Travancore is put down at 61 thousand acres which corresponds, more or less, to the average figure for the last three years published in the Statistical Volumes.

The area in South India is distributed as follows.

Travancore	...	61,000	acres.
Cochin ...	...	11,600	,,
British Malabar	...	12,000	,,
Mysore ...	...	400	,,
Coorg ...	...	3,000	,,

I believe the quota has been fixed on the basis of the above figures.

Now, the one point urged by Mr. Varughese and Mr. Raman Pillai is that, if Travancore had a representative to press on the attention of the International Committee, their point of view, they would have got a larger quota. Now, Sir, I may tell the House that all correspondence relating to the rubber restriction scheme was carried on most confidentially. Very few people were taken into the confidence of the authorities. Communications were going on between the various countries, but I may say that Travancore, or rather South India, was not entirely neglected. There is a Rubber Growers' Association in London, which Association represents the rubber interests in South India. There is a representative of that Association on the International Rubber Restriction Committee, and from the conversation and correspondence I had with Mr. Lampard, who is taking great interest in this matter, I understand that the Association's representative on the Committee is in correspondence with the local rubber growers and that the quota has been fixed on the information supplied by the local people. Very exaggerated figures have been mentioned in regard to the acreage and output of rubber. Mr. Varughese said that the area under rubber is more than 100,000 acres; Mr. Karunakaran said that it is about 95,000 acres and if each acre yields 300 pounds of rubber, he thinks that the total production in Travancore will be about 12,000 tons. These figures are not based on actual data; they are only surmises. There is a letter in this file before me which says that we

have as much area in Travancore as in Ceylon. Ceylon, I think, has about 400,000 acres; and even admitting Mr. Varughese's figures Travancore has only 100,000 acres. It is on the basis of the published figures that the International Committee has decided the quota allotted to Travancore.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanamuram*): May I ask what is the average output on the basis of which this quota has been fixed?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I believe it has been calculated differently for plantations of different ages. The yield depends upon the age of the plantation. Old plantations may yield about 350 lbs. per acre and younger plantations from 150 lbs. to 300 lbs. per acre according to their age. The figures given by Mr. Varughese are highly exaggerated. There may be small areas here and there giving a higher yield, but the average, as far as my experience goes, will not be more than 250 lbs. per acre. I see from the trade statistics that the quantity of rubber exported from Travancore has been going down steadily. In 1106 the total quantity of rubber exported from Travancore was about 4,000 tons. In 1107 it went down to 1,500 tons, and in 1108 to 750 tons.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): What are the figures for 1104 and 1105?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): They are available in the Statistical Volumes. I am sorry I have not got these volumes here. I do not think that even in those years the export could have been more than 5,000 tons. The average export in the past may be taken to be somewhere between 4,000 and 5,000 tons. We must get a quota proportionate to our acreage. 88,000 acres is the area under rubber in South India and 61,000 acres is the area in Travancore. Out of 6,850 tons allotted to South India we will get a share proportionate to our area.

We have to convince the authorities that the area under rubber is more than the published figure before we can ask for an increased quota. If we adopt Mr. Raman Pillai's suggestion and ask again the Pakuthi staff to collect statistics, we are not likely to get more accurate figures than those we have already got. Mr. Raman Pillai said that forms are being filled up by planters and sent to the Licensing Committee at Kottayam and that the area under rubber can be ascertained correctly from these forms. An *Ad hoc* Committee has been formed and is functioning. But the Travancore Government have not yet approved of this committee. Anyhow the Committee has been functioning and has issued the forms to be filled up by the planters. If a planter is to get a license to sell even a portion of his rubber, he has to fill up the form and send it to the Committee. I am told that there is a great rush for these forms which should reach the Committee duly filled up by today. The Committee is not going to accept simply the statements of the cultivators. The Committee will appoint special agents, who will go round and inspect the estates and the books maintained there. They will verify the area and the yield by reference to

Rao Sahib Dr. N. Kunjan Pillai.]

the books and then specify the quota to be assigned to each cultivator. When this work is completed, we will be able to get accurate figures of the acreage and yield and it will then be possible for Government to approach the authorities with correct figures and ask them to revise the quota. Unless we have got reliable figures to convince the authorities, there is no use telling them that our area is 100,000 acres and that we should therefore get a larger quota. As a matter of fact, I have already had correspondence with Mr. Lampard who, as I have already said, is taking great interest in this matter and have told him that the quota allotted to South India is not sufficient and that it ought to be revised. He has received a communication from London which says that, if we are able to convince the International Committee of the correctness of our position, they will consider our request for the revision of the quota. What we have to do is to convince the authorities; and Government will do their best in this matter.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur* cum *Pattanapuram*) : May we take it that it is not too late ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : It is not too late. If the quota now fixed is not based on accurate figures, we can certainly ask for its revision.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) . ഈ റിസ്ട്രിക്ഷൻ ഇരിക്കുന്നതു കൊണ്ട് കൂടുതൽ പ്ലാൻറു ചെയ്യുന്നതിന് തിരുവിതാംകൂറിനു അനുവാദം കിട്ടുമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : കൂടുതൽ സ്ഥലത്ത് റബ്ബർ കൃഷി ചെയ്യാൻ പാടില്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : സയാം, ആസാം എന്നീ രാജ്യക്കാർക്ക് പ്ലാൻറു ചെയ്യുന്നതിനു അനുവദിച്ചിട്ടുള്ളതു പോലെ നമുക്കും അനുവദിച്ചു കിട്ടുകയില്ലേ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : അതിനു സാധിക്കയില്ല. അതിനു പൊളിററിക്കൽ റീസൻകാണും. ക്വോട്ടാ കൂട്ടികിട്ടുന്നതിനു വേണ്ടതു പ്രവർത്തിക്കാമെന്ന് ഗവമെൻറിൽ നിന്നും ഉറപ്പുതരാമെന്നല്ലാതെ സയാമിനും മററും കിട്ടിയിട്ടുള്ളതു പോലെ കിട്ടുമോ എന്നുള്ളതു സംശയമാണ്.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Then Sir, what is it that Government can do or propose to do ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : This is what the Government can do and what they are prepared to do. If we join the Restriction Scheme, Government will do their best to get the quota revised if they are convinced that Travancore is entitled to a larger quota than what has been allotted to her. What is going to be the fate of the rubber plantations if we do not join the Restriction

scheme? Even if we want to export a small portion of our rubber, we must get a license, and if we don't export rubber, our plantations will all be ruined.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether the member will be able to give the approximate idea of the quantity of rubber that will be stored up?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Each estate will be able to export about 55 per cent. of its potential out-put: actual output will be restricted to the exportable quantity. If quota is increased, the exportable quantity will naturally increase. Anyhow, Sir, it is not wise not to join the scheme. We must fight for a larger quota, if we are entitled to it. I can assure the Honourable members that the Government will do their best to press for an increase in the quota after they have collected accurate statistics. The matter will not be left unattended to; and I hope that, on this assurance on behalf of the Government, the Honorable members will be satisfied with the position the Government have taken.

MR. N. E. VARUGHESE (*Tiruvalla I*): ജൂൺ ഒന്നാം തിയതി കഴിഞ്ഞാൽ അനുവദിച്ചിട്ടുള്ള കോട്ടയിൽ കൂടുതലായി റബർ കയററി അയക്കാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): ലൈസൻസില്ലാതെ കൂടുതൽ അയക്കാൻ പാടില്ല. ഇപ്പോൾ നിശ്ചയിച്ചിട്ടുള്ള കോട്ട അനുസരിച്ച് ലൈസൻസു കിട്ടും. ഇപ്പോളും കിട്ടിയിട്ടുള്ള കോട്ട പോരന്നു അവരെ മനസ്സിലാക്കിയ ശേഷമേ കോട്ട റിവൈസ് ചെയ്യുന്നതിനു വാദിക്കാൻ നിവൃത്തിയുള്ളു.

DEPUTY PRESIDENT: The Chief Secretary has stated that Government will take this into very serious consideration and do all that is possible. What is it that you propose to do, Mr. Varughese?

MR. N. E. VARUGHESE (*Tiruvalla I*): തിരുവിതാംകൂറിനു ന്യായമായി കിട്ടേണ്ട അവകാശത്തിനു യാതൊരു ന്യൂനതയും വരാത്തവിധത്തിൽ തക്ക സമയത്ത് വേണ്ടതു പ്രവർത്തിച്ചു കൊള്ളാമെന്ന് ഗവൺമെൻറു ഭാഗത്തുനിന്നും മറുപടി പറഞ്ഞിരിക്കുന്നതു കൊണ്ട് ഈ മോഷനെപ്പിൻ വലിക്കുന്നതിനു അനുവാദം ചോദിച്ചുകൊള്ളുന്നു.

DEPUTY PRESIDENT: Does the House agree? The motion is withdrawn. The House will now adjourn and meet at 11. A. M. tomorrow.

The Assembly adjourned at 4· 47 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

FIRST ASSEMBLY.

SECOND SESSION.

Saturday, the 26th May 1934/13th Edavam 1109.

The Assembly met again in the Victoria Jubilee Town Hall at Eleven of the clock, the President presiding.

QUESTIONS AND ANSWERS.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): As I was absent yesterday when my questions, Nos 231 and 234, were called, I request permission to ask them now.

PRESIDENT: I must remind the House that any member who chooses to send a question and puts the Government to the trouble of hunting out the answer and makes the Government include, such answer as they are in a position to give, in the agenda for a day, if he finds it difficult to be present on such day, must either write to the President expressing his inability to be present and request that his question may be taken over on some other convenient day, or, with the permission of the President, request some other member to deputise for him and ask the question. Neither of these steps having been taken by Mr. Krishna Pillai, I cannot allow his questions to be taken up again; and they must lapse.

Employe s in the Ayurveda Pharmacy.

236. ***MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to lay on the table a caste-war list of employees, including peons and coolies in the Ayurveda Pharmacy?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): A statement furnishing the information is placed on the table.

Applicants for Assistant Vaidyans' posts.

237. ***MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to state:

(*a*) whether they have received memorials from Mr. K. Sukumaran, *Vaidyakalanidhi*, Nemom, and Miss L. Bhagavati, Nurse, Ayurveda Hospital, Trivandrum, praying that their claims may be duly considered and they may be appointed as Assistant *Vaidyans*, and

(*b*) what action has been taken upon such memorials?

* *Vide* Appendix I.

G. P. T. 1657. 860. 4-12-1109.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Yes

(*b*) Sanction has been accorded to the appointment of Mr. Sukumaran, *Vaidyakalanidhi*, Nemom, as temporary Assistant Vaidyan in the Selling Branch of the Ayurveda Pharmacy on Rs. 15 per mensem.

Sry. L. Bhagavati, Nurse, Ayurveda Hospital, has been appointed as Additional Assistant Vaidyan, Ayurveda Pharmacy, on Rs. 20 per mensem on probation for six months with effect from the 5th Meenam 1109.

MR. K. PADMANABHAN (*Chirayinkil I*): How many memorials did the Government receive from Mr. Sukumaran?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Several; I cannot give the exact number now.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know the earliest date of his memorial?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether Mr. Sukumaran was a volunteer in the local Ayurvedic Hospital?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. K. PADMANABHAN (*Chirayinkil I*) Does he continue as such even now?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I have already stated that he has been appointed as an Assistant Vaidyan in the Selling Branch of the Ayurvedic Pharmacy.

MR. K. PADMANABHAN (*Chirayinkil I*): At the time he was memorialising to Government, he was a volunteer. May I know whether he has since been relieved?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*): Have the Government given him a written order of appointment?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know the date of that order?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether Mr. Sukumaran has actually been entertained as Assistant Vaidyan in the Pharmacy?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Orders were issued; but Government received a report from the Principal of the Ayurveda College that Mr. Sukumaran was not entertained.

Subsequently, Government received a memorial from him ; and Government again asked the Principal to carry out Government orders and to allow Mr. Sukumaran to join duty. I think the orders must have been carried out now.

PRESIDENT : We have been too long at these *vaidyans.* Next question, please.

Entertainment of Muslim and Ezhava graduates in the Education Department.

238. ***MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to say how many Muslim or Ezhava graduates have been appointed either as teachers or Assistant Inspectors ever since the Education Reforms Enquiry Committee had submitted their report ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

No. of Muslim graduates appointed as teachers ...	1
No. of Muslim graduates appointed as Assistant Inspectors ...	1
No. of Ezhava graduates appointed as teachers ...	1
No. of Ezhava graduates appointed as Assistant Inspectresses...	1

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know the name of that Ezhava gentleman who has been appointed Assistant Inspector ?

MR. R. M. STATHAM (*Director of Public Instruction*) : The answer speaks only of an Ezhava Assistant Inspectress.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know her name ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Srimati M. Kamakshi.

MR. K. PADMANABHAN (*Chirayinkil I*) : Has any Ezhava gentleman been appointed as Assistant Inspector ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Yes, since the answer to this question was sent.

MR. K. PADMANABHAN (*Chirayinkil I*) : His name, please ?

MR. R. M. STATHAM (*Director of Public Instruction*) : Mr. Palpu.

Travancore Government Gazette.

239. ***MR. N. E. VARUGHESE** (*Tiruvalla I*): Will the Government be pleased to state :

(*a*) the number of paying subscribers to the Travancore Government Gazette ;

(*b*) the amount realised by way of subscription for the year 1108 ; and

(*c*) the number of copies printed every week ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) :

(*a*) 1,175 for the full Gazette and 64 for the several departmental sheets.

(*b*) Rs. 5,537.

(*c*) This varies from week to week.

Mallappally dispensary.

240. *MR. N. E. VARUGHESE (*Tiruvalla I*): (*a*) Will the Government be pleased to give a statement showing the number of patients treated in the years 1107 and 1108 in the dispensary at Mallappally in the Tiruvalla taluk?

(*b*) Will they be pleased to state:

(i) whether the inhabitants of Mallappally and its neighbourhood have petitioned the authorities for converting the said dispensary into a hospital; and

(ii) if the aswer to part (i) is in the affirmative, what action was taken?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) *Year*	*No. of patients.*
1107	15,297
1108	20,520

(*b*) (i) No.

(ii) In view of the answer to part (i), this does not arise.

MR. N. E. VARUGHESE (*Tiruvalla I*): ഒരു ഡിസ്പെൻസറി ആസ്പത്രി ആക്കുന്നതിനു എന്തെല്ലാം സംഗതികളാണ് ആവശ്യമായിട്ടുള്ളതെന്നു പറയാമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): അതിലേക്കു പല സംഗതികളും ആലോചിക്കാനുണ്ട്; അതായതു് സ്റ്റാഫ്, അക്കാമഡേഷൻ മുതലായവയെപ്പററി എല്ലാം ആലോചിക്കണം.

MR. N. E. VARUGHESE (*Tiruvalla I*): ചികിത്സക്കു വരുന്ന രോഗികളുടെ എണ്ണം ഒരു ഡിസ്പെൻസറിയെ ആസ്പത്രിയാക്കുന്നതിനു കാരണമായിരിക്കുമോ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): അതു ഒരു കാരണമായിരിക്കും.

P. W. D. tolls.

241. *MR. N. E. VARUGHESE (*Tiruvalla I*): Will the Government be pleased to state the total amount collected by the P. W. D. contractors as toll on bullock carts for the years 1107 and 1108?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): It is not possible to furnish the information as no account is maintained by the Department of the collections made by the lessees.

Inspection of Police Stations.

242. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the present Commissioner of Police has inspected all the Police Stations in the State; and

(*b*) to what taluks did the present Commissioner go on circuit?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): (*a*) No.

(*b*) The places visited were in the following taluks :—

Agasteeswaram, Kalkulam, Neyyattinkara, Trivandrum, Chirayinkil, Quilon, Kottarakara, Kunnattur, Tiruvalla, Kottayam, Changanachery, Muvattupuzha, Kunnatnad, Vaikam and Parur.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know the date on which the Commissioner of Police first started on his inspection tour from Trivandrum ?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I do not remember the date.

PRESIDENT : You will have to look to your diary.

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): It was almost about a week after my arrival.

Staff in the office of the Director of Public Instruction.

243. * **MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state :

(*a*) whether there is an Office Manager in the office of the Director of Public Instruction :

(*b*) whether there is a Personal Assistant to the Director of Public Instruction ;

(*c*) whether there is a Deputy Director under the Director of Public Instruction ;

(*d*) what the work of the Deputy Director is ;

(*e*) what the salary of the Deputy Director is ;

(*f*) whether the Deputy Director has any previous administrative experience in the Education Department before his appointment as such and

(*g*) when the Deputy Director was appointed as such ?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) As the name implies, to assist the Director in all aspects of his work.

(*e*) Bh. Rs. 900 per mensem

(*f*) Yes.

(*g*) On the 2nd Kanni 1109.

(Mr. S. J. Nair remained standing for some time after the answer was read out.)

MR. S. J. NAIR (*Nedumangad*): I want to ask one supplementary question, Sir.

PRESIDENT : If you take minutes to put your own question, it will be rather dificult for us to get on without delay. However, you may put the question.

MR. S. J. NAIR (*Nedumangad*): May I know from the member the necessity for a Manager, Financial Assistant, Personal Assistant and Deputy Director in the office of the Director of Public Instruction?

MR. R. M. STATHAM (*Director of Public Instruction*): I can only refer the member to the Report of the Education Reforms Committee which shows at considerable length the necessity for increasing the staff of the officers in the head office.

MR. S. J. NAIR (*Nedumangad*): May I ask whether the appointment of the Principal of the Arts College as Deputy Director is not against the suggestion made in the Report?

MR. R. M. STATHAM (*Director of Public Instruction*): No, it was a direct result of the recommendation in the Report.

MR. S. J. NAIR (*Nedumangad*): Is it not stated in the Report that the Deputy Director must be an officer having administrative experience in the department?

MR. R. M. STATHAM (*Director of Public Instruction*): No, the recommendation was that an officer must be appointed in order that he may gain administrative experience.

Chief Examiner for History for the V. S. L. C. Examination in 1109.

244. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state:

(*a*) whether one Mr. K. M. John, B. A., L. T., Headmaster, Mission Training School, Varkala, was first appointed as the Chief Examiner in History for this year's (1109) V. S. L. C. Examination;

(*b*) whether he was an applicant for the place;

(*c*) whether he is not a Science Graduate; and

(*d*) the number of applications received by the Director of Public Instruction from History Graduates for the Chief Examinership in History for this year's (1109) V. S. L. C. Examination?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) No.

(*c*) Yes.

(*d*) 3.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I put supplementary questions, in English, Sir?

PRESIDENT: Yes.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I know the considerations which weighed with the Deputy Director in making the appointments?

MR. R. M. STATHAM (*Director of Public Instruction*): The appointments were made by the Director himself and not by the Deputy Director.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I know the considerations which weighed with the Director of Public Instruction in appointing Mr. John as Chief Examiner for History?

MR. R. M. STATHAM (*Director of Public Instruction*): It was a genuine mistake. When he was appointed, it was done under the impression that he was a History graduate. As soon as it was learnt that he was a Science graduate, the appointment was cancelled.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I know whether the Director made any enquiries of Mr. John's qualifications before he appointed him as Chief Examiner for History?

MR. R. M. STATHAM (*Director of Public Instruction*): Mr. John was considered suitable for a Chief Examiner's post, and I accepted the report from my subordinates that he was a History graduate. Unfortunately, it turned out to be a mistake. But the mistake was discovered very soon and immediately rectified.

MR. K. R. ELENKATH (*Kalkulam* I): May I know whether the practice of receiving applications for examiners' posts is in vogue in the department?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether Mr. John had not stated in his application that he was a Science graduate?

MR. R. M. STATHAM (*Director of Public Instruction*): Mr. John did not apply for the Chief Examiner's post.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*); Was any action taken against the subordinate who made the false report?

MR. R. M. STATHAM (*Director of Public Instruction*): It cannot be said that the report was *false*. We appointed a very large number of Examiners so that this mistake occurred. But, as I said, the error was very soon discovered and immediately rectified. There was therefore no necessity to take any action against anybody.

The Travancore Athletic Association.

245. * **MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state:

(*a*) whether any amount is given as grant to the Travancore Athletic Association;

(*b*) if so, what is the amount, and

(*c*) what is the amount spent by the Cochin Government on the Cochin Athletic Association?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Yes.

(*b*) Rs. 450 per annum.

(*c*) Government have no information.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): With reference to part (*c*), may I know whether the Government will be pleased to get that information?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government do not think it necessary; but if the member wants it, Government will reconsider the question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Do not the Government think that the amount allotted for the Travancore Athletic Association is meagre ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government do not think so. It is a matter of opinion.

Tamil Short-hand Reporter in the Police Commissioner's office.

246. ***MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state :

(*a*) whether a Tamil Short-hand Reporter was recently appointed in the Police Commissioner's office ;

(*b*) his salary ;

(*c*) his age ;

(*d*) his technical qualification ;

(*e*) his general qualification and

(*f*) whether it is true that he has neither the general nor the technical qualification ?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*) :

(*a*) Yes.

(*b*) Rs. (40) forty.

(*c*) Twenty years.

(*d*) Knows Tamil Short-hand.

(*e*) Has studied up to English School Final Class.

(*f*) The member is referred to the answers to parts (*d*) and (*e*).

MR. S. J. NAIR (*Nedumangad*) : May I know from the member whether he has passed Tamil Short-hand and Typewriting Examinations ?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*) : I do not know. He knows Tamil Short-hand.

MR. S. J. NAIR (*Nedumangad*) : May I know whether he has passed the examination in Short-hand and Typewriting ?

PRESIDENT : He has said that he does not know. He only knows the fact that he knows Tamil Short-hand.

MR. S. J. NAIR (*Nedumangad*) : Sir, my question was whether a Tamil Short-hand Reporter was recently appointed in the Police Commissioner's office ? He is evading the answer.

PRESIDENT : He tells you that the person appointed knows Tamil Short-hand.

MR. S. J. NAIR (*Nedumangad*) : Has he got the necessary technical qualification ?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*) : I do not understand the meaning of the word qualification. Is it any examination ?

MR. S. J. NAIR (*Nedumangad*) : May I know from the member

whether he has passed any examination on the subject for which he has been appointed?

PRESIDENT. Whether he has passed any examination in Tamil Short-hand or not, the member has replied that he knows Tamil Short-hand.

MR. S. J. NAIR (*Nedumangad*); May I know whether there are candidates in the State who have passed Tamil Short-hand and Type-writing examinations?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I expect there are.

MR. S. J. NAIR (*Nedumangad*) May I know whether any one has applied amongst them who has passed the examination?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): I have no information. I claim notice.

MR. S. J. NAIR (*Nedumangad*): May I know whether any one employed in the Department as Constable has passed these examinations?

PRESIDENT: You mean Constables having passed Tamil Short-hand?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*); No, Sir.

Special Muslim Vernacular Primary Girls' School at Perumathura.

247. ***MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state whether they have received representations regarding the unsatisfactory condition of the school building of the special Muslim Vernacular Primary Girls' School at Perumathura?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know from the member what action has been taken on the petition?

MR. R. M. STATHAM (*Director of Public Instruction*): That is being answered, Sir, in the next question.

Muslim Girls' School at Perumathura.

248. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*): Will the Government be pleased to state:

(*a*) whether they have received any representation regarding the dilapidated condition of the Muslim Girls' School at Perumathura in the Chirayinkil taluk;

(*b*) if so, the action taken in the matter; and

(*c*) whether the school is still housed in that building?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) An estimate for the reconstruction of the building has been obtained and it is being scrutinised.

c) No.

The Aided Primary School at Edava.

249. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*): Will the Government be pleased to state:

(a) whether they have stopped giving grant-in-aid to the aided Primary School at Edava in the Chirayinkil taluk :

(b) if so, the reason for so doing :

(c) the number of years that have elapsed since the school was started ;

(d) the names of schools that the boys of this school will have to go to in case this school is abolished :

(e) whether they have received any representation from the people of the locality regarding their grievances against stopping this school and

(f) if so, the action taken thereon ?

MR. R. M. STATHAM (*Director of Public Instruction*) : (a) Yes.

(b) The school has only two classes and there are two other complete Primary Schools in the locality.

(c) 44 years.

(d) Kappil Departmental and Edava Muslim complete Primary Schools.

(e) Yes.

(f) The member for the constituency has been informed that, if the management are prepared to run a complete Primary School the question of closing the Departmental Primary School may be reconsidered.

MR. K. R. ELENKATH (*Kalkulam I*) : What is the principle observed by the Department in abolishing overlapping schools ?

MR. R. M. STATHAM (*Director of Public Instruction*) : The principle is elaborated at considerable length in the Education Reforms Committee Report.

MR. S. NILAKANTA PILLAI ((*Chirayinkil II*) : May I know whether the school has 40 years standing ?

MR. R. M. STATHAM (*Director of Public Instruction*) : I want notice for that. But I think there is no school near to it.

Village Panchayat Court at Warkala.

250. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*) : Will the Government be pleased to state :

(a) whether they have received any representation regarding the opening of a Village Panchayat Court at Warkala ; and

(b) if so, the action taken in the matter ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) :

(a) No.

(b) Does not arise in view of the answer to (a).

Abolition of export duty on cocoanut products.

251. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*) : Will the Government be pleased to state the action taken by them on the resolution passed by the Legislative Council in Dhanu 1108 recommending the abolition of the export duty on the products of the cocoanut tree ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The matter is under the consideration of Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) May I know from the member when this matter was taken up for consideration by Government and the reason why they have not been able to come to a conclusion even after considering it for one and half years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Since the passing of the resolution in Dhanu 1108, it is still under consideration.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know the reason why they have not been able to come to a conclusion even after considering it for one and half years?

PRESIDENT: I do not think you can probe the question further.

Qualifications for the post of Sub-Registrar.

252. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state;

(*a*) the qualifications laid down for the post of a Sub-Registrar;

(*b*) how many under-graduate and graduate Muslims there are in the permanent service of the Registration Department satisfying these qualifications;

(*c*) whether Muslims and other backward classes in education are given any preference for promotion to the posts of Sub-Registrars;

(*d*) if the answer to part (*c*) is in the affirmative, how many Muslims and non-Muslims have been given such preference and appointed as Sub-Registrars, either as acting or as permanent?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Graduates having the requisite departmental examination qualification and non-graduates, who hold E. S. L. C. pass certificate, provided they have passed the Departmental Test, or are otherwise efficient and have put in a service of not less than 15 years.

(*b*) Two.

(*c*) No; not as a rule.

(*d*) In view of answer to (*c*), this does not arise.

MR. K. MAHOMED (*Alwaye*): May I know whether there is any rule as to the number of years of service that a graduate has to put in to be appointed as a Sub-Registrar?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There is no such rule.

MR. K. MAHOMED (*Alwaye*): If there is no such rule, then what is the difficulty in appointing a Muslim Graduate for the post?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There may be other graduates with longer service.

MR. K. MAHOMED (*Alwaye*): When was the other graduate appointed first?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The other graduate was appointed on 23-11-1105 and got a permanent footing on 2-1-1108.

MR. K. MAHOMED (*Alwaye*): Was he not continuously acting till then?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I claim notice.

MR. K. MAHOMED (*Alwaye*): May I know then when his claims will be considered?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): When the chance comes.

Sub-Registrars of the State.

253. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to lay on the table a caste-war statement of Sub-Registrars of the State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The statement is laid on the table.

Abolition of Schools.

254. ***MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*); Will the Government be pleased to state

(*a*) whether the Director of Public Instruction has issued orders for closing any schools, aided or departmental, after the formation of the Education Advisory Board

(*b*) if so, whether the Board was consulted before such orders were issued if not, why not,

(*c*) whether complaints have been received by the Government or the Director from centres adversely affected by such orders; and

(*d*) whether other adequate facilities exist or have been provided to meet local educational needs in cases where the schools are ordered to be closed?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) No. It is not the intention of the Department to consult the Board except on large questions of policy,

(*c*) Yes.

(*d*) Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know where the scope of the work of the Education Advisory Board is defined?

MR. R. M. STATHAM (*Director of Public Instruction*): I do not think that I can refer the member to any specific references where the work has been defined.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know how the Director thought that it was not within the scope of the Education Advisory Board to be consulted in this matter?

MR. R. M. STATHAM (*Director of Public Instruction*): The reason why no reference to the Education Advisory Board was made is this. Under the existing rules, before the Education Advisory Board was set up, the Director is given the power to see, before he recognises a school, whether the school is necessary in that locality. That is, if a school becomes unnecessary or inefficient, he is bound to withdraw recognition from the school. It is a matter of ordinary routine enjoined on the Director under the existing rules.

* *Vide* Appendix VI.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether the Director is in possession of full particulars as to the local needs of any particular school before that school is abolished?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes, in possession of full particulars.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Has a school at Kanjipadom been ordered to be abolished?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Does that particular locality enjoy any educational facilities otherwise than through that school?

MR. R. M. STATHAM (*Director of Public Instruction*): The Kanjipadom school is not abolished as an overlapping school. I mean the school was abolished under quite separate circumstances.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): What has the Director done for purpose of serving the needs of that locality in regard to educational matters?

MR. R. M. STATHAM (*Director of Public Instruction*): The Director is considering whether he cannot open another school with private building on a suitable site.

MR. N. E. VARUGHESE (*Tiruvalla I*) ഒരു പള്ളിക്കൂടത്തിന്റെ അംഗീകരണം പിൻവലിക്കുന്നതിനുമുമ്പു ആ പള്ളിക്കൂടത്തിൽ പഠിക്കുന്ന കുട്ടികൾക്കു വേറെ പള്ളിക്കൂടങ്ങളിൽ പോയി പഠിക്കാൻ സൌകര്യമുണ്ടോ ഇല്ലയോ എന്നന്വേഷിച്ചിട്ടാണോ അംഗീകരണം പിൻ വലിക്കുന്നതു്?

MR. R. M. STATHAM (*Director of Public Instruction*): Recognition is only withdrawn after the Director has assured himself that adequate provision exists in other schools for giving instruction to the children of the school whose recognition is being withdrawn.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): May I know whether he has personally inspected all the schools before recognition has been withdrawn?

MR. R. M. STATHAM (*Director of Public Instruction*): It is quite impossible for the Director to personally inspect every school; but he has visited a number of schools and enabled to satisfy himself before recognition is withdrawn that such schools were unnecessary.

Drinking water in coastal regions.

25. ***MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*): Will the Government be pleased to state what steps, if any, have been taken for the supply of good drinking water in coastal regions as recommended by this Assembly?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The Deputy Director of Public Health has been asked to submit proposals in consultation with the Chief Engineer so that a definite programme may be laid down for the supply of good drinking water to the coastal regions of the State.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Has any report been submitted by them?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Not yet.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): When was a reference made for the report?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): About two months ago.

Schools and Offices visited by the Director of Public Instruction.

256 ***MR. V. K. VELAPPAN NAIR** (*Vaikam*): Will the Government be pleased to state:

(*a*) the Schools and Offices visited by the Director of Public Instruction outside Trivandrum after 1-1-1109; and

(*b*) whether the Director has visited Vaikam; and, if so, the institution he visited there?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) A statement furnishing the particulars is laid on the table.

(*b*) Yes, the English High School, Vaikam.

MR. V. K. VELAPPAN NAIR (*Vaikam*): Was it a working day when the Director visited this school?

MR. R. M. STATHAM (*Director of Public Instruction*): No.

MR. V. K. VELAPPAN NAIR (*Vaikam*): Did the Director meet any of the officers of the Education Department on the day on which he visited?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. V. K. VELAPPAN NAIR (*Vaikam*): May I know whom he saw on that occasion?

PRESIDENT: Well, well. No further question.

Designation of the Officers in the office of the Director of Public Instruction.

257. ***MR. V. K. VELAPPAN NAIR** (*Vaikam*): Will the Government be pleased to state the designation of officers in the office of the Director of Public Instruction who were signing orders to subordinate officers before 1-1-1109 and subsequent to it?

MR. R. M. STATHAM (*Director of Public Instruction*):

Before 1-1-1109.

1. The Director of Public Instruction.
2. The Personal Assistant to the Director of Public Instruction.

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* *Vide* Appendix III.

After 1-1-1109.

1. The Director of Public Instruction.
2. The Deputy Director of Public Instruction.
3. The Personal Assistant to the Director of Public Instruction.
4. The Manager of the office of the Director of Public Instruction.

Files in the office of the Director of Public Instruction.

258. *MR. V. K. VELAPPAN NAIR (*Vaikam*): Will the Government be pleased to state the number of files in the office of the Director of Public Instruction in which the latest correspondence is (*a*) over 6 months (*b*) over 3 months, that are not replied to or otherwise disposed of?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Nil: (*b*) 2.

Repairs to a chira in Thonnallur pakuthi.

259. *MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether the urgent necessity for repairing the *chira* on the southern side of Kulakada river in Thottakkonam *muri*, Thonnallur *pakuthi*, Mavelikara taluk, was brought to the notice of the Chief Engineer or his subordinates in Audi 1108;

(*b*) whether it is a fact that the above *chira* was repaired some years back by the P. W. D. when it was breached by the floods;

(*c*) if the answer to part (*b*) is in the affirmative, the date of such repair, the expense incurred for the same and the date of the present breach;

(*d*) whether the number of families that would be detrimentally affected by the non-repair of the above *chira* has been ascertained by the P. W. D. authorities; and

(*e*) why temporary repair was not effected as soon as the matter came to their notice?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) Yes.

(*c*) In 1100, at a cost of Rs. 195-22-12. The *chira* breached in 1108.

(*d*) No.

(*e*) No temporary repair was possible on account of floods.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I know whether the floods continued from that date till now?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

Export duty on cocoanut produce.

260. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether they have taken any action on the resolution passed in the Legislative Council in Dhanu 1108 for the abolition of the export duty on the produce of the cocoanut tree;

(*b*) if the answer to part (*a*) is in the affirmative, the action that they have taken; and

(*c*) if the answer to part (*a*) is in the negative, the reason for not taking any action?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) and (*b*) The matter is under the consideration of Government.

(*c*) This does not arise in view of the answer to parts (*a*) and (*b*).

Text-Book for Form VI.

261. ***MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*): Will the Government be pleased to state:

(*a*) the total cost of the detailed text-books in Malayalam prescribed for the Sixth Form this year;

(*b*) the approximate price at which a Government publication (of the type of the present selection in English) containing 1,000 lines of poetry and 120 pages of prose be sold at a reasonable profit to the Government;

(*c*) the approximate gain to the Government per book of a compilation like the present School Final text in English at its present price;

(*d*) whether the Government are now receiving any income from any of these books, and

(*e*) whether the Government are receiving any income from the Government publications that are used as text-books, and, if so, the income in 1108;

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Re. 1-Chs. 24-C. 8.

(*b*) Annas 8 per book.

(*c*) Annas 8 per book.

(*d*) No.

(*e*) Yes: Rs. 48,130.

Repairs to the Kozhungalloo Chira.

262. ***MR. R. RAMAN PILLAI** (*Changanachery* cum *Peermade II*) Will the Government be pleased to state:

(*a*) whether they have, or the Chief Engineer has, received a petition dated 20-10-1107 *re* the repairing of the Kozhungalloo *chira* comprised in Survey No 308/2 of Nedumkunnom *pakuthi* in the Changanachery taluk, from the public of the said locality; and

(*b*) if so, the steps taken on the same?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) The *chira* has been inspected and a preliminary report submitted by the Division Officer, Kottayam. On account of financial stringency, further action could not be taken.

Retrenchment in expenditure.

263. ***MR. CHANGANACHERY K. PARAMESVARAN PILLAI** (*Kunnattur cum Pattanapuram*): Will the Government be pleased to state:

(*a*) the extent to which the recommendations of the Retrenchment Committee have been given effect to; and

(*b*) why the other recommendations were not accepted by Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) and (*b*) The member is referred to G. O. No. Fl. 1352, dated the 19th July 1933, and annexures to the Final Report of the Retrenchment Committee, 1931, a copy of which has already been furnished to the member.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Am I to understand that the Government has not bestowed any consideration on the recommendations of the Retrenchment Committee?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): They are considering several of the proposals of the Retrenchment Committee.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): May I know what proposals are under the consideration of Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The standardisation of the salaries of officers, the creation of a common cadre of officers and the recommendations of the Public Service Recruitment Commmittee, which include, I believe, some proposals for retrenchment.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Am I to understand that none of the recommendations of the Retrenchment Committee for reducing the expenditure has received the consideration of Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The G. O. referred to does contain the recommendations acted upon by Government.

MR. CHANGANACHERY K. PARAMESVARAN PILLAI (*Kunnattur cum Pattanapuram*): Since the date of the G. O.?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Since then no.

Statement by caste of clerks etc., in the Judicial Department.

264. ***MR. K. SANKARAN** (*Kartikapalli I*): Will the Government be pleased to give a statement by caste showing:

(*a*) the number of clerks in the Judicial Department of the State,

(*b*) the number of process servers and peons in the Judicial Department; and

(*c*) the number of Amins in the Judicial Department.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) :

(*a*), (*b*) and (*c*). Government do not propose to call for the information as the time and labour involved in the preparation of the statement are out of all proportion to its possible utility.

MR. K SANKARAN (*Kartikapalli I*) May I take it from the member that the preparation of a list of the clerks in one particular department is a very difficult task?

PRESIDENT : Presumably that is the answer. It does not require any further comment.

Bridge across the Alwaye ferry.

265. ***MR. M. K. JANARDANA KAMATH** (*Commerce and Industry, North*) : Will the Government be pleased to state :

(*a*) whether they are making arrangements to build a bridge across the Alwaye ferry;

(*b*) whether they are in receipt of plans and estimates for the same; and

(*c*) whether they will be in a position to start work during 1110?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) to (*c*) No.

Opening of the Alleppey-Shertala canal.

266. ***MR. EDAVANATT S. PADMANABHA MENON** (*Shertala I*) : Will the Government be pleased to state :

(*a*) the total cost hitherto incurred by the Government for the Shertala-Alleppey canal, including the land acquisition charges;

(*b*) the total number of miles hitherto cut open at both ends of the proposed canal;

(*c*) the total length which yet remains to be cut open and its approximate estimate of cost;

(*d*) whether any amount is yearly sanctioned for its maintenance;

(*e*) if not why?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) Rs. 5,52,804 including land compensation.

(*b*) 5 miles, 3,083 feet at both the ends together.

(*c*) 7 miles, 4, 517 feet costing approximately Rs. 1,57, 100.

(*d*) Yes. Rs. 1,688.

(*e*) This question does not arise.

MR. EDAVANATT S. PADMANAHBA MENON (*Shertala I*) : May I know from the member whether the Government will sympathetically consider the feasibility of resuming the scheme?

MR. K. R. ELANKATH (*Kalkulam I*) : On a point of order. The member is asking for the opinion of Government.

PRESIDENT : The Government member would have told him so.

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Government will consider it.

Isolation shed attached to the Alwaye District Hospital.

267. *MR. M. K. JANARDANA KAMMATH (*Commerce and Industry, North*): Will the Government be pleased to state:

(*a*) whether there is an isolation shed connected with the Alwaye District Hospial;

(*b*) whether small-pox patients were admitted there;

(*c*) whether the present Medical Officer has raised any objection for admitting small-pox patients into that shed;

(*d*) whether he has reported in favour of closing the same for small-pox patients;

(*e*) whether they have passed any order regarding the Medical Officer's report about closing the isolation shed for small-pox patients; and

(*f*) in case the Government are going to close the same, whether they are making any arrangements to treat small-pox patients?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Yes.

(*b*) Yes.

(*c*) He pointed out the undesirable proximity of the small-pox ward to the main building in the Hospital.

(*d*) Yes.

(*e*) Yes. Government have ordered that there was no necessity to shift the small-pox shed from its present site.

(*f*) In view of the answer to part (*e*), this does not arise.

The Coercive processes.

268. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state whether recourse to severe coercive process is taken in the collection of the current land tax?

MR. K. GEORGE (*Land Revenue and Inome Tax Commissioner*): Coercive processes are being taken as usual.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether it works hardship to the people?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): All coercive processes certainly must cause some hardship.

The Alleppey-Aroor road.

269. *MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): Will the Government be pleased to state whether the Alleppey-Aroor road is fit for bus traffic?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes, up to 9—seaters.

Sirkar Vakils belonging to the Malayala Brahmin community.

270. *MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*): Will the Government be pleased to state;

(*a*) the number of Sirkar Vakils from among the Malayala Brahmin community;

(*b*) whether there were Malayala Brahmin applicants in 1108 or 1109 qualified to be appointed as Sirkar Vakils :

(*c*) if so, why their applications were not specially considered by Government ; and

(*d*) the qualifications of the applicants from among the Malayala Brahmins ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Nil.

(*b*) and (*d*) Yes.

Mr. K. N. Kesavan Nambutiripad, M. A. & B. L., High Court Vakil; Standing at the Bar—6 years.

Mr. K. Kesavan Potti B. A. & B. L., District Court Vakil, Quilon ; Standing at the Bar-nearly 5 years.

Mr. N. Raman Nambutiripad, B A. & B. L., District Court Vakil, Kottayam Standing at the Bar—5 years.

(*c*) Because they did not call for any special consideration.

Head Constables in the Police Department.

271. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*) : Will the Government be pleased to state :

(*a*) the names of the Head Constables in the Police Department on 1-1-1108 who have acted in the grade of Police Inspectors before that date with their qualifications :

(*b*) the names of the Head Constables who have been appointed to the vacancies of Police Inspectors subsquent to 1-1-1108 up to 1-3-1108 with their qulifications and

(*c*) whether any person falling under the answer to part (*a*) is not included in the answer to part (*b*), and, if so, the reasons for the same ?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*) : (*a*) and (*b*)*Statements furnishing the information are laid on the table.

(*c*) No, for want of vacancies.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Sir, I beg to submit a point for the consideration of the Chair. I have not asked for a statement furnishing the required details. But I have asked for certain names to be orally given and by placing a statement on the table the right of asking supplementary questions is denied to us. I want to know whether it is left to the member to do so.

PRESIDENT : As I have already said, this is one of the two points which have been deliberately referred to the Chair and it was stated yesterday that the Chair will look into the whole literature on the matter and pass a ruling, not immediately though. In any case, you will have a ruling from the Chair at the next session of the House.

Higher Grade teachers in the Education Department.

272. ***MR. ANTONY GEORGE** (*Nominated*) : Will the Government be pleased to state :

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* *Vide* Appendix. IV.

(*a*) of the higher grade teachers in the Education Department, how many are Christians and how many are Latins; and

(*b*) how many Latin Christian graduates have applied for posts in the Education Department for the last three years and how many have been appointed?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) What the member means by "higher grade teachers" is not clear; but from part (*b*) it is inferred that the information required is about graduates. There are 114 Christains on the graduate scale of pay and of them 8 are Latins.

(*b*) 16 and 1 respectively.

Rabid dogs.

273. ***MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to state:

(*a*) the number of cases of mad dog bites reported in Travancore this year (1109) up to 15-3-1109;

(*b*) the number of such cases in the Chirayinkil taluk during the same period;

(*c*) how (*a*) and (*b*) compare with the figures for the corresponding period last year (1108): and

(*d*) the provision made for treating such cases and the preventive steps, if any, taken?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) 251.

(*b*) 20.

(*c*) 113·2 per cent. and 80 per cent. of the figures for the last year for the same period in the State and in the Chirayinkil taluk respectively;

(*d*) Arrangements have been made to treat rabid dog-bite cases in the General Hospital by a doctor who has had special training at the Pasteur Institute, Coonoor. The Municipalities in the State have been directed to take measures for the destruction of stray dogs and to introduce a system of licensing of dogs within municipal limits and it is reported that action is being taken by them.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know, Sir, what preventive steps are taken so far as the mofussil parts are concerned?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Nothing special.

MR. K. PADMANABHAN (*Chirayinkil I*): Will the Government be pleased to enquire into the question?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes.

Confirmation and promotion in the Registration Department.

274. ***MR. ANTONY GEORGE** (*Nominated*): Will the Government be pleased to state:

[Mr. Antony George.]

(a) whether the claims of any senior clerks in the Registration Department have been overlooked by the Director of Registration in the matter of confirmation and promotion ; and

(b) if there have been any, why it was done so ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) :

(a) Yes.

(b) Seniority alone does not entitle one to promotion. Passing of the departmental test, efficiency and character are also important factors.

Execution of urgent works by P. W. Division officers.

275. ***MR. K R. ELENKATH** (*Kalkulam I*): Will the Government be pleased to state whether the Division Officers of the P. W. D. are empowered to sanction at least small amounts for executing urgen works such as closing up of breaches in banks between fields and running streams or tanks?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : Yes, if the work comes within the powers delegated to the Division Officers.

MR K. R. ELENKATH (*Kalkulam I*) : May I know from the member the smallest amount which he could sanction without the permission of the Chief Engineer for the purpose ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : There is a G. O. dealing with it and I shall be pleased to show it to the member.

Boat Basin for the Alleppey Port.

276. ***MR. M. N. NAIR** (*Kottayam I*) : Will the Government be pleased to state:

(a) whether they are aware of the difficulties that are being undergone by the boat-owners at present to keep their boats safe during rough weather for want of a boat-basin at the Alleppey Port ;

(b) whether they are aware that, during monsoon times, boats are taken nearly ten miles away from the port for safe keeping and that, at times it takes even more than one day for the boatmen to bring in their boats to the port for unloading goods from the steamers that touch the port during the period ;

(c) whether the Government have received representations from the merchants and boat-owners for the provision of a boat-basin at the port ; and

(d) what action they have taken in the matter ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : (a) Yes.

(b) No.

(c) Yes.

(d) The matter is receiving attention as part of the Scheme for the improvement of the Port.

Shipping at the Alleppey Port.

277. ***MR. M. N. NAIR** (*Kottayam I*) : Will the Government be pleased to lay on the table a statement showing the number of steamers

that touched the Alleppey Port in the years 1930 to 1932 and till the end of September 1933 with their respective tonnage and the total income derived in each of the above-mentioned years as shipping and port dues?

MR. C. O. MADHAVAN (*Excise Commissioner*): The *statement containing the information is placed on the table.

Appointment of under-graduate clerks of the Police Department as Inspectors.

278. ***MR. M. N. NAIR** (*Kottayam I*): Will the Government be pleased to furnish, under the following heads, particulars of under-graduate clerks of the Police Department who have acted as Inspectors of Police:—

(1) name of candidate,
(2) date of entrance in the department,
(3) nature of first appointment held in the department,
(4) general educational qualifications and departmental test, if any,
(5) date of first appointment as Acting Inspector of Police,
(6) total period so acted,
(7) present pay,
(8) number of rewards, if any,
(9) reversion, if any,
(10) reasons for the reversion, and
(11) remarks of the District Superintendent of Police about the capacity of each candidate to hold the Inspector's post?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): 1 to 9. A †statement furnishing the information is laid on the table.

10 & 11. These are confidential and cannot be disclosed.

Under-graduate clerks who have acted as Inspectors of Police.

279. ***MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*): Will the Government be pleased to give a list of undergradate clerks who have acted as Police Inspectors with the following particulars, *viz.*,

(i) names of the clerks;
(ii) date of admission to service;
(iii) nature of first appointment:
(iv) general educational and departmental qualifications;
(v) date of first appointment as Acting Inspector;
(vi) total period of acting service;
(vii) present pay;
(viii) number of rewards and reversions, if any, and the reasons for the same; and
(ix) remarks, if any, of the D. S. P. as regards the capacity to act?

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* *Vide* Appendix v on page 907

† *Vide* Appendix vi on page 908

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): The member is referred to the answer to question No. 278.

Aryankavu Customs House.

280. ***MR. S. CHATTANATHA KARAYALAR** (*Shencotta*): Will the Government be pleased to state whether the Customs House at Aryankavu is treated as a Railway Customs House or as a frontier Customs House?

MR. C. O. MADHAVAN (*Excise Commissioner*): As a Railway Customs House.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Am I to understand that no Customs duty is levied at the Aryankavu Railway Customs House?

MR. C. O. MADHAVAN (*Excise Commissioner*): Customs duties are levied only in respect of goods taken by train.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*). May I know whether passengers are stopped for the examination of luggage?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes. It is also a preventive station as it is situated near the frontier to British India.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether it is the frontier?

MR. C. O. MADHAVAN (*Excise Commissioner*): I said it is near the frontier.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): How far will it be from the frontier?

MR. C. O. MADHAVAN (*Excise Commissioner*): The nearest British territory is only 2 miles or so from the Customs House.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether such examination is done at other Railway Stations?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, at some other Railway Chowkeys also.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know from the member from what date vehicles and passengers have been subject to examination at this Customs House?

MR. C. O. MADHAVAN (*Excise Commissioner*): It is from January 1933.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know whether there are any special reasons for introducing this system from January 1933.

MR. C. O. MADHAVAN (*Excise Commissioner*): It was noticed that there are some foot-paths leading straight beyond the Aryankavu Customs House. For preventive purposes, this examination was introduced in the Aryankavu Chowkey.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Is there any British Indian territory close by the Aryankavu Customs House within a radius of 3 miles?

MR. C. O. MADHAVAN (*Excise Commissioner*) : That is what I said.

The Masupatti bridge on the Balamore T. B. Road.

281. ***MR. M. SIVATANU PILLAI** (*Tovala*) : Will the Government be pleased to state :

(*a*) (i) when the Masupatti bridge on the Balamore T. B. road was washed away : (ii) whether it has been replaced, and (iii) if not, why ; and

(*b*) (i) whether any estimate has been prepared for a new bridge ; and (ii) if not, what is the reason for the delay ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) (i) During the floods of 1099.

(ii) No. But a wire rope suspension bridge has been provided temporarily for pedestrian traffic.

(iii) For want of funds.

(*b*) (i) Yes.

(ii) In view of the answer to (*b*) (i) this does not arise.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know from the member whether provision has been made in the coming year's budget ?

PRESIDENT : It is beyond him to say. It is for the Government to decide.

MR. M. SIVATANU PILLAI (*Tovala*) : I understand the member answers on behalf of Government.

PRESIDENT : Yes, all that he could say is that he could make the estimates ready.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*) : I rise to a point of order. I would like to know whether any question can be put as to the inclusion of a particular item in a future budget.

PRESIDENT : I have already said that it is beyond the member to answer.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know from the member whether he is not aware that the road concerned is not used regularly by people going to the Balamore T. B. ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : I claim notice.

Flood damages in the Tovala and Agastisvaram taluks.

282. ***MR. M. SIVATANU PILLAI** (*Tovala*) : Will the Government be pleased to state whether they have received reports as to the damages caused to paddy fields during the last floods in the Tovala and Agastisvaram taluks : if so, what action has been taken on the matter ?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) : Yes. Action is being taken for the remission of tax on the lands reported to have been damaged by the floods.

Acting Vernacular School teachers.

283. ***MR. T. K. ALEXANDER** (*Kunnatnad I*) : Will the Government be pleased to state :

[Mr. T. K. Alexander.]

(a) the number of applications received from Vernacular School teachers, who had put in acting service prior to 1100, within the last four years;

(b) whether preference is given to those who have put in acting service between 1100 and 1108 and

(c) whether there is any complaint about that; if so, what action has been taken?

MR. R. M. STATHAM (*Director of Public Instruction*): (a) Accurate figures are not available.

(b) Yes.

(c) Yes. The whole question of the recruitment of teachers in Vernacular Schools is under consideration.

Statement by caste of the employees in the Vernacular Schools.

284. ***MR. G. NILAKANTAN** (*Nominated*): Will the Government be pleased to state:

(a) the number of persons, by caste, employed in the Vernacular Schools for Boys: and

(b) the number of persons, by caste, in the wating list maintained by the Inspector of Vernacular Schools for Boys?

MR. R. M. STATHAM (*Director of Public Instruction*): (a) and (b) The information is furnished in the statement placed on the table.

Statement by caste of the employees in the Vernacular Schools for Girls.

285. ***MR. G. NILAKANTAN** (*Nominated*): Will the Government be pleased to state:

(a) the number of persons, by caste, employed in the Vernacular Schools for Girls;

(b) the number of persons, by caste, in the waiting list maintained by the Inspectress of Schools for Girls?

MR. R. M. STATHAM (*Director of Public Instruction*): (a) and (b) The information is furnished in the †statement placed on the table.

Proposals of the Minor Irrigation Committee.

286. ***MR. N. K. KRISHA PILLAI** (*Neyyattinkara I*): Will the Government be pleased to state:

(a) whether they have come to a final decision over the proposals of the Minor Irrigation Committee;

(b) whether they have as yet given effect to any of the proposals of the Committee, and, if so, what they are;

(c) when the report was submitted to Government and

(d) the cause of the delay in coming to a final decision?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (a) Yes, on some of them.

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* *Vide* Appendix vii.

† *Vide* Appendix viii.

(*b*) Yes, formation of a separate Irrigation Division and the allotment of a separate Irrigation Fund.

(*c*) 3rd October 1931.

(*d*) There has been no avoidable delay. Government have been considering the proposals, and collecting necessary data and information to come to a decision on the recommendations of the Committee.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : May I know whether the Government have considered the proposals of the Minor Irrigation Committee for the amendment of the Irrigation Cess Bill ?

PRESIDENT : The Irrigation Cess Bill does not arise out of this.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : May I know whether the proposal of the Committee to amend the Minor Irrigation Bill was considered ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : Yes, it has been considered.

Clerk and peon volunteers in the Anchal Department.

287. ***MR. N. JOHN JOSEPH** (*Nominated*) : Will the Government be pleased to state :

(*a*) the names of clerk and peon volunteers in the Auchal Department who are members of depressed classes (Christians and Hindus)

(*b*) whether they have been appointed to permanent or acting places in the Department in obedience to the Government Order regarding the same and

(*c*) if the answer to part (*b*) is in the affirmative, the period for which they are appointed ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : A list containing the information required by the member is laid on the table.

(*b*) Yes. Their claims are also being considered without prejudice to the claims of others.

(*c*) They are being given acting chances as vacancies arise. The following have been confirmed :—

Issac—Malayarayan (Superior Service).
T. D. Madhavan—Pulayan.
Madhava Panicker—Washerman.
V. S. Narayanan—Velan.
P. S. Narayanan—Barber.

MR. N. JOHN JOSEPH (*Nominated*) : ഐസക്ക എന്നയാളിനെ എത്ര നാളത്തെയ്ക്കു ആക്റ്റിംഗായി നിയമിച്ചു എന്നു പറയാമോ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : ഐസക്കിനെ സ്ഥിരപ്പെടുത്തിയതായിട്ടാണു് പറയുന്നതു്.

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* *Vide* Appendix ix.

MR. N. JOHN JOSEPH (*Nominated*): ഇപ്പോൾ സ്ഥിരപ്പെടുത്താതെ വാളണ്ട്യർമാരായിരിക്കുന്ന ആരെങ്കിലുമുണ്ടോ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): നിശ്ചയമില്ല.

Revenue and expenditure on public works in the Kartikapalli Taluk.

288. ***MR. V. RAMAKRISHNA PANICKAR** (*Kartikapalli II*): Will the Government be pleased to place on the table a statement showing the amounts of revenue derived from various sources from the taluk of Kartikapalli and the amounts spent on account of (i) the construction of roads including macadamising, and (ii) other public works, during the last ten years, *i. e.*, 1099 to 1108?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The time and labour involved in the collection of the information will be out of all proportion to its utility.

Grant-in-aid to London Mission Vernacular Middle Schools, District I.

289. ***MR. J. M. JOSEPH** (*Nominated*): Will the Government be pleased to state:

(*a*) whether repeated applications have been made by the Manager of the London Mission Vernacular Middle Schools at Mailady and Thamarakulam, in District I, for grant-in-aid for the years 1106-1108, for classes newly opened;

(*b*) whether the grants have been paid;

(*c*) if not, why not?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Applications were received.

(*b*) No.

(*c*) For want of funds.

MR. J. M. JOSEPH (*Nominated*): May I know whether any exception was made in the case of any school for grant being paid?

MR. R. M. STATHAM (*Director of Public Instruction*): Since this answer was given, a certain number of complete schools, which have not been given grant-in-aid, were given grants; and for the information of the member I may say two schools have been given aid.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether grant has been awarded to any school subsequent to that?

MR. R. M. STATHAM (*Director of Public Instruction*): The question of giving grants depends not on the application alone. It is a matter of policy. At one time, Government may not have funds. At another time, the schools may not deserve it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): How many schools are there which have not yet received grant-in-aid and which were started in 1106?

MR. R. M. STATHAM (*Director of Public Instruction*) : Is the member asking the number of schools in 1106 or the number of schools till this time. If it is the former, I would claim notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : It is the latter.

MR. R. M. STATHAM (*Director of Public Instruction*) : 476.

Pullan chira and Plassery chira in Vayalar East.

290. ***MR. POTTAYIL S. KRISHNA PANICKAR** (*Shertala II*) : Will the Government be pleased to state :

(*a*) whether the Government are aware that Pullan *chira* and Plassery *chira* in Vayalar East are systematically neglected ;

(*b*) whether the Government are aware that such neglect has caused considerable loss to the paddy cultivators of over 2,000 *paras* of paddy land enclosed within the said *chiras* ;

(*c*) whether the Government have been repeatedly approached to make provision for putting the said *chiras* with the necessary locks on a permanent basis ; and

(*d*) if the answer to part (*c*) is in the affirmative, why they have not taken up the matter yet ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) They are not maintained by Government.

(*b*) and (*c*) Representations were made in the Sri Mulam Popular Assembly.

(*d*) The matter is being investigated.

Complaint against the Head Constable in charge of the Edalakudy Police Station.

291. ***MR. M. SIVATANU PILLAI** (*Tovala*) : Will the Government be pleased to state :

(*a*) whether there has been any complaint against Mr. M. Govinda Pillai, Head Constable in charge, Edalakudy Station, for refusing *vakalaths* being got signed by the person in his custody and

(*b*) whether there has been any instance of his doing so, even in spite of the Magistrate's orders to get the *vakalaths* signed by persons in his custody ?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*) : (*a*) and (*b*) No.

Pakuthi staff in Edappalli.

292. ***MR. T. K. ALEXANDER** (*Kunnathnad I*) : Will the Government be pleased to state :

(*a*) the names with age, caste, examination qualifications and the date of appointment in the present places of Proverthicars and Accountants of the five *pakuthies* under the Edappalli Chief ;

(*b*) whether there is any order that the *pakuthi* staff of these five *pakuthies* should have the same qualifications as those of the Government *pakuthi* staff ;

[Mr. T. K. Alexander.]

(c) if the answer to part (b) is in the affirmative, the names of those of the *pakuthi* staff of those five *pakuthies* without such qualifications ; and

(d) whether those Proverthicars have been given the same power as the Proverthicars under the Government ?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*) :

(a) A *statement containing the particulars is placed on the table.

(b) Yes ; but discretion has been given to the Edappalli Chief to grant exemptions.

(c) Nos. 1, 3, 4, 9, 10, 12, 13 and 15 in the statement placed on the table.

(d) Yes.

S. M. R. V. Technical Institute, Nagercoil.

293. *MR. J. M. JOSEPH (*Nominated*) : Will the Government be pleased to state :

(a) how long it is since the S. M. R. V. Technical Institute was started in Nagercoil ; and

(b) the kind of work the Institute carries on ?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*) : (a) Thirty years.

(b) Instruction is given in cotton weaving (both theoretical and practical).

Statistics regarding the S. M. R. V. Technical Institute, Nagercoil.

294. *MR. J. M. JOSEPH (*Nominated*) : Will the Government be pleased to state whether they will furnish a statement of the revenue returns of the S. M. R. V. Technical Institute for the last eight years and also the results of the students for the last two years ?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*) : Yes.

(1) Statement of receipts from the S. M. R. V. Institute, Nagercoil, for the last eight yers :

Year.		Rs.	Ch.	C.
1101	...	350	4	15
1102	...	225	21	10
1103	...	915	10	15
1104	...	1,192	23	1
1105	...	1,048	11	5
1106	...	718	3	11
1107	...	441	3	2
1108	...	1,118	18	11

* *Vide* Appendix x.

(2) Results of the students for the last two years:

Year.	*Class.*	*No. Appeared.*	*No. Passed.*
1107	1st year Class	10	6
	2nd ,,	8	6
	3rd ,,	5	5 (One First Class)
1108	1st ,,	11	7
	2nd ,,	6	6
	3rd ,,	6	6 (All First Class)

MR. J. M. JOSEPH (*Nominated*): May I know from the member whether this institute on the whole is run at a profit or loss?

PRESIDENT: The question does not arise.

MR. M. SIVATANU PILLAI (*Tovala*): May I know why there is this fluctuation in the periodical returns of the institute?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): It is on account of the sale of articles manufactured by the students. Sometimes we get a bad set of students who spoil the works, consequently the cloths produced will not be up to the mark and will fetch only less. The fluctuations are due to this.

Power looms in the S. M. R. V. Technical Institute, Nagercoil.

295. * **MR. J. M. JOSEPH** (*Nominated*): Will the Government be pleased to state:

(*a*) whether power looms have been introduced in the S. M. R. V. Technical Institute; and

(*b*) If so, how many?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): (*a*) No.

(*b*) The question does not arise.

Vernacular Middle School for Boys Edappalli.

296. * **MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) the number of students in each class of the Vernacular Middle School for Boys at Edappalli;

(*b*) whether there is any representation for reconstructing the school building;

(*c*) whether there is a latrine in the school compound;

(*d*) the area of the school compound;

(*e*) whether any report has been received by the Director of Public Instruction regarding the reconstruction of the building;

(*f*) if the answer to part (*e*) is in the affirmative, when and what;

(*g*) the distance from the south-west corner of the shed of the said school to the urinal in the English Middle School compound;

(*h*) how many times the Director of Public Instruction visited the school;

[Mr. K. Mahomed.]

(*i*) whether there is any proposal to acquire more land for the school;

(*j*) if so, the area proposed to be acquired; and

(*k*) whether the proposed area is sufficient?

MR. R. M. STATHAM (*Director of Public Instruction*):

(*a*)

Class	VII	...	47	on the 20th August 1933.
,,	VI	...	49	
,,	V	...	85	
,,	IV	...	61	
,,	III	...	81	
,,	II	...	79	
,,	I	...	79	

(*b*) Yes.

(*c*) No.

(*d*) 27 cents.

(*e*) Yes.

(*f*) Early in 1929. The Inspector of Vernacular Schools reported that a new substantial building should be constructed for the school by the P. W. D.

(*g*) 35 feet.

(*h*) On three occasions.

(*i*) Yes.

(*j*) 30 cents.

(*k*) Yes.

PRESIDENT: Question time is over. The other questions will be adjourned for the next day.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Sir, before we pass on to the next item in the agenda, may I, with the permission of the Chair, refer the answer given yesterday by the Chief Secretary to part (*c*) of my question No. 213 and to the answer given by himself to part (*d*) of my question No. 17 on 16th November 1933 and published on the 1st page of the Assembly Proceedings Vol. II No. 2? The answer given there is that the expenditure on the Temple Entry Enquiry Committee up to the end of Chingam 1109 is Rs. 17,948-23-14. Yesterday we were told that the expenditure up to the end of Medam 1109 is Rs. 10,000 and odd. Within a period of seven months the expenditure seems to have fallen by Rs. 7,000 and odd. I request the President to consider how such an open disparity is calculated to shake the faith of the public in the correctness of the answers given by the Government members and therefore to have the discrepancy removed before it gets finally immortalised in the Assembly Proceedings.

PRESIDENT: I will look into that.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I rise to a point of order. Under the proviso to Rule 12, I had sent in a short notice question about the memorial submitted to the Dewan at Munnar by the All-Travancore Political Congress. The Dewan-President exempted me from the rule requiring 12 days notice with regard to this

question and kindly admitted the question. I wish to know whether I would get an answer to it in this session. Otherwise the indulgence shown to me by the Chair by waiving the term of ordinary notice will not be of use to me. So, I request the Chair to give a ruling on that point.

PRESIDENT: The duty of the Chair as President of the Assembly begins and ends with the exercise of his powers conferred upon him by the Rules and Standing Orders. The President was asked to waive the required period of notice, *viz.*, 12 days' and the President has done that. The authority to answer the question is not in the hands of the President : it is in the hands of the Government. It is Government who have got to give you the answer and not the President.

UNSTARRED QUESTIONS AND ANSWERS.

Conversion of Puthukadai-Kollencode trace in Vilavankod taluk into a cart road.

20. **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state whether they have not yet decided to convert Puthukadai-Kollencode trace in the Vilavankod taluk into a cart road.

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes. An estimate for the conversion of the trace has been received by Government and is under consideration.

Applicants for the post of Sirkar Vakil, Kottayam.

21. **MR. T. S. JAYANTAN NAMBOOTIRI** (*Travancore Jenmies, North*): Will the Government be pleased to lay on the table a list, by caste, of the applicants for the post of Sirkar Vakil, Kottayam, during the recent vacancy ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

1.	Brahmins (Malayala)	...	3
2.	Brahmins (Others)	...	8
3.	Ezhavas	...	4
4.	Kshatriyas	...	1
5.	Nayars	...	10
6.	Vellalas	...	1
7.	Christians	...	9
1.	Other Hindus	...	1

Oodukoor tenure of lands.

22. **MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to state :

(*a*) whether there is the form of *Oodukoor* tenure of enjoyment in South Travancore ;

(*b*) if the answer to part (*a*) is in the affirmative, whether they recognise such *Oodukoor* right over property when offered as security for loans from Government and

(*c*) whether they are aware that such *Oodukoor* rights are sold for arrears of Government revenue and money realised ?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) Yes.

(*b*) Yes, provided all the owners agree to it.

(*c*) Yes.

Ownership of land.

23. **MR. T. T. KESAVAN SASTRI** (*Nominated*): Regarding the registry of lands for habitation to the depressed classes, will the Government be pleased to state:

(*a*) the average extent, in cents of land per head of the population in the State, according to the census of 1931, and

(*b*) the number of people, in the State, owning no lands for habitation, according to that census?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) 43 cents.

(*b*) This information is not available from the Census Report.

Edappalli Market.

24. **MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Goverment be pleased to state:

(*a*) whether there is any complaint made before the Land Revenue Commissioner regarding the Edappalli market;

(*b*) whether the said market is a public market:

(*c*) whether the market is conducted on public roads:

(*d*) whether it satisfies any of the conditions under the Markets Regulation;

(*e*) whether any report has been made by the Conservancy Overseer to the Sanitary Circle Officer regarding the market offences; and

(*f*) if the answers to parts (*a*) and (*e*) are in the affirmative, what action has been taken?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) Yes.

(*b*) No. It is a private market.

(*c*) It is held on *poramboke* lands on both sides of the road from the Edappalli Police Station to Tirkakara and the road branching therefrom to Tripunitura.

(*d*) Yes.

(*e*) Yes.

(*f*) The Sanitary Circle Officer, Perumbavoor, on receipt of a report from the Conservancy Overseer of Edappalli, has addressed the Manager of the Edappalli Swaroopam (the owner of the market) to rectify the defects pointed out therein. It is reported that steps are being taken for the shifting of the market from its present site and that the sanitation of the market is being attended to in the meanwhile.

Agricultural loans in the taluks of Parur and Kunnatnad.

25. **MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Government be pleased to state:

(*a*) the amount sanctioned for agricultural loans during each of the years 1101 to 1103 in the Parur and Kunnatnad taluks (each taluk separately);

(*b*) the number of applications for loans received in each of these years from these taluks:

(*c*) the number sanctioned and the amount given out in each taluk;

(*d*) the number of loan applications received between 1-1-1109 to 4-3-1109 from Parur and Kunnatnad taluk;

(*e*) whether any action ha been taken on them; if not, why: and

(*f*) whether any agricultural loan has been given out between 1-1-1109 and 4-3-1109 in any of the taluks in the State?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a* to *f*) °Statements containing the information required are placed on the table.

Original and small cause cases in the Perumbavoor and Parur Munsiffs' Courts.

26. **MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Government be pleased to state;

(*a*) whether they will lay on the table a *pakuthi*-war statement of original and small cause cases filed in the Perumbavoor and Parur Munsiffs' Courts during each of the last eight years and

(*b*) the number of small cause cases up to rupees fifty, in each of the *pakuthies* in those years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) and (*b*). The required *statements are laid on the table.

Bridge over the Alleppey-Shertala Canal.

27. **MR. K. M. KRISHNAN** (*Ambalapuzha II*): Will the Government be pleased to state:

(*a*) whether they have received any representation from the people of Aryad South with regard to the construction of a bridge over the Alleppe y-Shertala canal in Kommady; and

(*b*) if the answer to part (*a*) is in the affirmative, whether they have taken any and what action in the matter?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) An estimate and plan for the bridge prepared by the Executive Engineer, Kottayam, are under scrutiny.

Opening of a canal through Madayantodu.

28. **MR. K. M KRISHNAN** (*Ambalapuzha II*): Will the Government be pleased to state:

(*a*) whether they have received any representation from the people living on both sides of Alleppey-Shertala canal with regard to

°*Vide* Appendix xi.

**Vide* Appendix xii

[Mr. K. M. Krishnan.]

the opening of the canal into the Vembanad lake through Madayantodu and

(b) if the answer to part (a) is in the affirmative, whether they have taken any and what action in the matter ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (a) No.

(b) This does not arise.

Medical inspection of school children.

29. **SRIMATI T. NARAYANI AMMA** (*Nominated*): Will the Government be pleased to state :

(a) the number of High School students and College students who were medically inspected in 1106, 1107 and 1108, in accordance with the scheme of medical inspection of school children and College students.

(b) the number of lady students among them ;

(c) the most common of the diseases the students were found to suffer from ;

(d) whether the results of such examinations were communicated to the parents of those students :

(e) the steps taken to ensure that the treatment of such diseases was attended to :

(f) whether the "wider scheme" 'referred to on page 10 of the Administration Report of the Medical Department for 1107' has been prepared : and

(g) if so, what the scheme is and when it will be brought into effect ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

(a)	1106	...	8,314
	1107	...	1,380
	1108	...	6,753
(b)	1106	...	912
	1107	...	130
	1108	...	890

(c) 1. Defective vision
2. Enlarged tonsils
3. Dental diseases like pyorrhoea, caries &c.
4. Skin diseases
5. Mal-nutrition, anaemia, &c.

(d) Yes.

(e) In some institutions, arrangements are made for the members of their staff to enquire of the students periodically, what remedial measures are being taken and to see that the defects pointed out by the medical officers are attended to by guardians in time.

(f) and (g) The matter is under consideration.

Baby Welfare and Health Week celebrations.

30. **SRIMATI T. NARAYANI AMMA** (*Nominated*): Will the Government be pleased to state:

(*a*) whether Baby Welfare and Health Week celebrations were being held in Travancore for some time;

(*b*) in how many years they were held;

(*c*) whether they were found to be useful;

(*d*) when and why they were discontinued: and

(*e*) whether the Government propose to revive them?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary Government*): (*a*) Yes.

(*b*) Two years.

(*c*) The answer is in the affirmative.

(*d*) The celebrations were held as part of the National Baby Week Celebrations in India and they were discontinued from 1926 owing to the absence of instructions from the National Baby Week Headquarters at Delhi to hold the celebrations as in former years. There was also not much co-operation from the general public.

(*e*) The answer is in the negative.

Clerical staff in the office of the Inspectress and Assistant Inspectresses.

31. **SRIMATI T. NARAYANI AMMA** (*Nominated*): Will the Government be pleased to lay on the table a statement of—(*a*) the present clerical staff of the Inspectress and each of the Assistant Inspectresses of schools; and

(*b*) the number of women among them?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) A *statement containing the information asked for is laid on the table.

(*b*) Six.

Midwives in the Medical Department.

32. **SRIMATI T. NARAYANI AMMA** (*Nominated*): Will the Government be pleased to state:

(*a*) the total number of midwives at work in the Medical Department in 1106, 1107 and 1108; and

(*b*) the number of labour cases attended by them in each of the said years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*)

No. of midwives	in 1106	...	89
Do.	in 1107	...	89
Do	in 1108	...	90

(*b*)

Year.	*No. of cases*
1106	11,060
1107	10,992
1108	12,008

* *Vide* Appendix xlii.

The report of the Swampy Areas Committee.

33. **MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state:

(*a*) the respective dates on which the Swampy Areas Committees appointed for the taluks of Kunnattur and Pattanamtitta have filed their reports:

(*b*) the total areas of the swampy tract recommended to be thrown open for registry by the above-mentioned Committees in each of the taluks;

(*c*) the total swampy area registered in each of the above taluks, as per recommendations made by the Committee, till 20-3-1109; and

(*d*) if the whole or any portion of such area has not yet been registered in the above-mentioned taluks, the reasons for the same?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) The reports of the Swampy Areas Committees relating to the Pattanamtitta and Kunnattur taluks were submitted to Government on 21-6-1924 and 16-2-1927 respectively.

(*b*) The Committee recommended 725 acres in the Pattanamtitta taluk and 200 acres in the Kunnattur taluk being thrown open for registry (the areas sanctioned to be disafforested being 325 acres and 50 acres respectively.

(*c*) Out of the 325 acres sanctioned to be disafforested in the Pattanamtitta taluk, an extent of 72·05 acres was actually surveyed, disafforested, and handed over to the Revenue Department; out of this area, registry has been completed in respect of 50·42 acres. The lands in the Kunnattur taluk have not yet been disafforested.

(*d*) There is a balance of 21·63 acres remaining to be brought under registry in the Pattanamtitta taluk. Of this, 2·27 acres have been set apart for assignment to members of the depressed classes and 5 acres sanctioned by Government to be registerad in the name of T. Mathew an ex-war-service man. The remaining area of 14·36 acres has been notified for sale by auction.

The Karumadi—Takazhi road.

34. **MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*): Will the Government be pleased to state whether the Chief Engineer has been addressed by any one on the need and advisability of diverting the present Karumadi—Takazhi road?

MR. G. B. TRUSCOTT (*Chief Engineer*): Yes.

Appendix I.

***Vide* Question No. 236.**

Statement, by caste, of employees in the Ayurveda Pharmacy.

Caste.		Vaidyans.	Peons.	Coolies.
I. Hindus.				
1. Brahmin (Malayala)	...	...	...	...
2. Do. (Others)	...	...	...	...
3. Nadar	...	...	...	...
4. Ezhava	...	...	...	...
5. Kammala	...	...	...	...
6. Kshatriya	...	...	...	...
7. Nair	...	2	2	8
8. Pulaya	...	...	...	...
9. Other depressed classes	..	1	...	...
10. Vellala	...	...	...	...
11. Other Hindus	...	...	...	...
II. Mussalman.	...	...	...	...
III. Christians.				
1. Protestant	...	...	...	...
2. Roman Catholic				
(i) Latin Rite	...	...	...	...
(ii) Syriac Rite	...	...	...	...
3. Syrians				
(i) Jacobite	...	...	...	...
(ii) Mar Thoma	...	...	...	...

Appendix II.

Vide Question No. 253.

Statement, by caste, of Sub-Registrars in the Registration Department.

I.	*Hindu*		
	1 Malayala Brahmin	...	1
	2. Do. others	...	9
	3. Ezhava	...	4
	4. Kammala	...	...
	5. Kshatrya	...	9
	6. Nadar	...	...
	7. Nair	...	24
	8. Pulaya	...	...
	9. Vellala	...	...
	10. Other depressed classes	...	...
	11. Other Hindus	...	1
11.	*Mussalman*	...	1
III.	*Christians*	...	
	1. Protestant	..	4
	2. Roman Catholic	...	...
	(a) Latin rite	...	1
	(b) Syriac rite	...	3
	3. *Syrian*	...	...
	(a) Jacobite		11
	(b) Mar Thoma	...	6
	4. Church of England	...	2
			76

Appendix III.

Vide Question No. 256.

Statement showing the names of schools and offices visited by the Director of Public Instruction, outside Trivandrum, since 1-1-1109.

No.	*Name of school or office*	
1	Office of the Assistant Inspector of English Schools, Kottayam.	By the Ag. D. P. I. in 1/09
2	Do. Assistant Inspectress of Girls' Schools, Do.	
3	Kanjirapally E. H. School ...	
4	Kuzhittura V. M. School ...	
5	Alenkode Primary School ...	By the D. P. I in in 10/33
6	Kilimanoor Vanivilasom Primary School ...	
7	Sadanandapuram Aided Do. ...	
8	Adoor Primary School for Girls ...	
9	Valakam Primary School ...	
10	Carmel Anglo Vernacular Institute for Girls, Kottayam ...	
11	Kumarakam E. M. School ...	
12	Kottayam V. M. School for Girls & five Primary Schools ...	
13	Pantalam Cherickal Aided Vernacular School ...	
14	Shencottah E. H. School ...	
15	Do. V. M. School ...	
16	Neyyattinkara V. M. School for Girls ...	Do. 11/33
17	Kollayil Primary School for Boys ...	
18	Do. Primary for Girls ...	
19	Parassala V. M. School ...	
20	Kaliakkavila Aided Primary School for Girls ...	
21	Marthandom E. H. School ...	
22	Thirunanthikara Primary School ...	
23	Pechippara Aided Do. ...	
24	Attoor L. M. S. Do. ...	
25	Vayakal L. M. S Do. ...	Do. 12/33
26	Kottarakara V. M. School for Girls ...	
27	Kottarakara E. H. School ...	
28	Do. Training School ...	
29	Special School for Malayala Brahmins, Kulakada ...	
30	Adoor E. H. School ...	
31	Chengannur E. H. School ...	
32	Do. E. M. School for Girls ...	
33	Muthoor Primary School ...	
34	Balikamadom E. H. School for Girls, Tiruvalla ...	
35	C. M. S. English High School, Kottayam ...	
36	Kuravilangad Aided E. M. School ...	
37	Do. St. Mary's Primary School for Girls ...	
38	Do. E. M. School for Girls ...	

Appendix III—(contd)

39	Kuthattukulam V. M. School	By the D. P. I. 12/33
40	Muvattupuzha E. H. School	...
41	Do. V. M. School for Boys	...
42	Do. Do. for Girls	...
43	Todupuzha E. H. School	...
44	Do. V. M. School for Boys	...
45	Do. Do. for Girls	...
46	Kotamangalam E. M. School	...
47	Monipalli Primary School	...
48	Office of the Assistant Inspector of Vernacular Schools, Kottayam	...
49	Sacred Heart Mount E. H. School, Kottayam	...
50	Nattasseri St. Marcellena's Primary School for Girls	...
51	Do. Training School	...
52	Venjaramood V. M. School	... Do. in 1/34
53	Chempoor Primary School	...
54	Attingal E. H. School	...
55	Prakkulam Aided Primary School	...
56	Chathannoor V. M. School	...
57	Quilon E. H. School	...
58	Do Aided E. M. School for Girls	...
59	Neendakara St. Joseph's E. M. School	...
60	Chavara English High School	...
61	Chavara Vernacular Middle School	...
62	Do Primary School	...
63	Kayankulam E. H. School	...
64	Karunagapally Aided Primary School	...
65	Haripad E. M. School	...
66	Karuvatta N. S. S. E. H. School	...
67	Do. St. Jame's E. M School	...
68	Ambalapuzha E. M. School	...
69	Do. Aided V. H. School	...
70	Do. V. M. School	...
71	Shertala E. H. School	...
72	Do. V. M. School	...
73	Muttom St. Mary's E. M. School for Girls	...
74	Kokotamangalam St. Antony's Primary School	...
75	Tannirmukkam Primary School for Girls	...
76	Taikattuseri V. M. School	...
77	Do. Aided E. M. School	...
78	Do. Primary School for Girls	...
79	Kottaram Primary School	...
80	Turavoor West V. M. School	...
81	Kodamturutu Primary School	...
82	Eramalloor N. S. V. M. School	...
83	Chandiroor Aided Primary School	...

Appendix III—(contd)

84	Adoor Aided E M. School	...	D. P. I in 1/34
85	Do. Primary School	...	
86	Kainakari St. Mary's E. M. School	...	
87	Do. Do. Primary School	...	
88	Do. Holy Family Primary School for Girls	...	
89	Pulincunnoo St. Joseph's E. H. School	...	
90	Do. Little Flower E. M. School for Girls	...	
91	Pulincunnoo Aided V. M. School for Girls	...	
92	Do. V. M. School	...	
93	Edathua St. Aloysiu's E. H. School	...	
94	Do. Aided V. M. School for Girls	...	
95	Champakulam St. Mary's V. M. School	...	
96	Do. St. Thoma's V. M. School for Girls	...	
97	Nedumudy N. S. V. M. School	...	
98	Alleppey Mahomedan E. H. School	...	
99	Do- Do. Primary School	...	
100	Karuvatta St. James' E. M. School	...	
101	Naugiarkulangara V. M. School	...	
102	Bethany Balikamadam E. M. School for Girls	...	
103	Muttom Primary School Aided	...	
104	Kanichauualloor Primary School	...	
105	Kandiyur Do.	...	
106	Mavelikara E. M. School for Girls	...	
107	Do. E. H. School	...	
108	Kannamangalam V. M. School for Girls	...	
109	Changankulangara Sri Rama Vilasom Sanskrit School	...	
110	Neendakara St. Joseph's E. M. School	...	
111	Kalluvatukkal S. C. V. Primary School	...	
112	Prakulam Aided Primary School	...	
113	Neyyattinkara E. H. School	...	
114	Tuckala Do.	...	
115	Marthandom Do.	...	
116	Vattappara Aided School	...	in 2/31
117	Venjaramood V. M. School	...	
118	Kottarakara E. M. School for Girls	...	
119	Pantalam V. M. School	...	
120	C. N. I. Training School, Kottayam	...	
121	St. Ephreim's E. H. School, Mannanam	...	
122	Vaikam E. H. School	...	
123	Puthupalli Aided E. H. School	...	
124	Karukachal N. S. S. E. H. School	...	
125	Pulincunnoo Aided E. H. School	...	
126	Mundankavu Primary School	...	
127	Pantalam N. S. S. E. M. School	...	
128	Kollannur M. T. Primary School	...	
129	Maranad Native Primary School	...	
130	Eravipuram Primary School	...	

Appendix IV.

Vide Question No. 271

Head Constables in the Police Department.

Serial No.	General No.	Rank.	Name.	Qualification.
(a)				
1	25	1st Grade	P. Govinda Pillai	Matriculation and S. H. O. Test.
2	104	Do.	K. Ninan	
3	166	Do.	K. Raman Pillai	S. H. O. Test.
4	940	Do.	G. Paramesvaran Pillai	
5	375	Do.	P. Velayudhan Pillai	
6	360	Do.	K. R. Raman Pillai	
7	73	2nd Grade	K. Rama Rao.	
8	119	1st Grade	S. Padmanabha Aiyangar	
9	226	Do.	Ramakrishna Pillai	
10	76	Do.	Kesava Pillai	
11	80	Do.	Fernando	
12	596	2nd Grade	W. W. George	S. S. L. C.
13	180	1st Grade	M. G. Krishna Pillai	Bangalore trained. Police Inspector's Test
14	410	2nd Grade	K. Sivarama Pillai	S. H. O. Test.
15	87	1st Grade	Palpu Pillai	Bangalore trained Police Inspector's Test
16	149	2nd Grade	Govinda Pillai	S. S. L. C.
17	289	1st Grade	Narayana Pillai	
(b)				
1	25	1st Grade	P. Govinda Pillai	
2	104	Do.	K. Ninan	
3	166	Do.	K. Raman Pillai	
4	119	Do.	S. Padmanabha Aiyangar	
5	940	Do.	G. Paramesvaran Pillai	
6	87	Do.	G. Palpu Pillai	
7	375	Do.	P. Velayudhan Pillai	
8	410	2nd Grade	K. Sivarama Pillai	(Independent charge)
9	149	Do.	P. Govinda Pillai	Do.

Appendix V.

***Vide* Question, No. 277.**

Statement of steamers that touched the Alleppey Port in the years 1930 to 1932 and till the end of September 1933 with their respective tonnage and the total income derived in each of the above-mentioned years as Shipping and port dues.

Years.	No. of steamers.	Tonnage.	Port dues.			Landing and shipping dues.		
			Rs.	ch.	c.	Rs.	ch.	
1930	445	10,350,62	32,957	7	2	27,687	9	12
1931	437	10,13,634	34,338	3	12	27,251	26	9
1932	427	10,17,334	34,025	25	14	26,578	20	5
End of September 1933	307	7,51,722	24,668	23	13	20,242	21	1

Appendix VI.

(*Vide* Question No. 278.

Statement of under-graduate clerks of the Police department who have acted as Inspectors of Police.

Serial No.	Name of candidate.	Date of entrance in the Department.	Nature of first appointment held in the Department	General educational qualifications and departmental test, if any.	Date of first appointment as Acting Inspector of Police.	Total period so acted.			Present pay.	No. of rewards if any.	Reversion if any.
1	2	3	4	5	6	7			8	9	10
						Y.	M.	D.	Rs.		
1	K. V. Srinivasa Ayangar, Head Accountant, Police Commissioner's office.	2-7-1088	Clerk on Rs. 30	Matriculation and Account Test (Madras) Pleadership Examination of the local Law College.	13-12-1094	5	7	20	100	Five	Yes.
2	S. Nuhukhan, Clerk Police Commissioner's office.	1-7-1088	Clerk on Rs. 15	S. S. L. C. and Account Test Examination.	17-1-1095	3	6	22	40	One	Do.
3	K. Aiyappan Pillai, D. S. P's office, Quilon	1-11-1081	3rd Grade H. C. on Rs. 12	Matriculation, Account Test, Pleadership Examination and S. H. O. Test	29-10-1091	4	2	15	40	..	Do.
4	G. P. Nilakanta Pillai, Clerk, Traffic Superintendent's office, Trivandrum.	1-7-1088	Clerk on Rs. 20	Matriculation, Account Test and Pleadership Examination of the local Law College.	17-8-1093	5	5	25	40	One	Do.

Appendix VI—(*contd.*)

Serial No.	Name of candidate.	Date of entrance in the Department.	Nature of first appointment held in the Department	General educational qualifications and departmental test if any.	Date of first appointment as Acting Inspector of Police.	Total period so acted.			Present pay.	No. of rewards if any.	Reversion if any.
1	2	3	4	5	6	7			8	9	10
						Y.	M.	D.	Rs.		
5	P. Krishna Pillai, Clerk, D. P. O., Trivandrum.	9-10-1088	Clerk.	Studied in the Matriculation class and passed the English Middle School Examination. Underwent military training in Madras	3-5-1102	5	0	0	40	..	Yes.
6	P. N. Govindan Nair Clerk, D. P. O. Quilon	14-1-1090	Do.	..	30-10-1095	3	2	11	35	..	Do.
7	V. C. Fernandez, Clerk, D. P. O. Quilon.	15-3-1083	2nd Class Constable.	..	21-7-1094	0	11	27	30	..	Do.
8	V. Sankara Pillai, Head Accountant, D. P. O. Kottayam.	1-7-1088	Clerk.	Passed the Police Inspector's Test at Bangalore, and Travancore Government Account Test. Appeared for the Matriculation Examination also	13-2-1103	0	3	0	45	3	Do.
9	Oommen Tharakan, Clerk, D. P. O., Kottayam.	1-7-1088	Do.	Passed the Police Inspector's Test at Bangalore, and has undergone Velloor training	14-4-1091	5	6	23	40	Two	Do.
10	K. N. Viswa Karma, Clerk, D. P. O., Kottayam.	15-9-1084	2nd Class Constable.	Passed the Lower Secondary Examination of the Madras Government. Passed the S. H. O. Test. Undergone Calicut Special clerical training and Account Test, Travancore Government.	4-8-1095	1	4	0	40	Two	Do.

Appendix VII.

Vide **Question No. 284.**

Statement by caste of employees in the Vernacular Schools for Boys.

	I Hindus											II	II Christians							IV
	Brahmins (Malayala)	Brahmins (others)	Ezhavas	Kammala	Kshatriya	Nadar	Nayar	Pulaya	Vellala	Other depressed classes	Other Hindus	Mussalmans	Protestants	Latin rite	Syriac rite	Jacobite	Mar Thoma	Church of England	Converts to Christianity	Others
(a) Number of persons, by caste, employed in the Vernacular Schools for Boys.	56	660	222	26	20	29	2873	7	168	7	249	120	66	44	123	374	304	6	20	3
(b) Number of persons, by caste, in the waiting list maintained by the Inspector of Vernacular Schools.	7	31	43	11	1	17	404	1	25	5	62	93	6	13	11	61	21	2	17	..

Appendix VIII.

***Vide* Question No. 285.**

Statement, by caste, of employees in the Vernacular Schools for Girls.

	I Hindus											I	III Christians							IV
	Brahmins (Malayala)	Brahmins (others)	Ezhavas	Kammala	Kshatriya	Nadar	Nayar	Pulaya	Vellala	Other depressed classes	Other Hindus	Mussalmans	Protestants	Latine rite	Syriac rite	Jacobite	Mar Thoma	Church of England	Converts to Christianity	Others
(a) Number of persons, by caste, employed in the Vernacular Schools for Girls	5	41	119	11	1	3	800	3	15	4	53	6	177	52	68	188	167	12	4	5
(b) Number of persons, by caste, in the waiting list maintained by the Inspectress of Girls' Schools (for Vernacular Schools)	..	..	140	16	..	1	610	3	9	2	53	2	81	7	50	135	98	7	6	79

Appendix IX.

***Vide* Question No. 287.**

Volunteers in the Anchal Department, belonging to the depressed classes.

CLERK VOLUNTEERS.

Caste.	*Name.*
Cheraman	P. C. George
Pulaya (Convert)	Daniel Thomas

PEON VOLUNTEERS.

Sambavars	Kanthudayan
,,	Paramanayagom
,,	Joseph
,,	P. Vadivel
,,	Ephrail
Paraya	P. K. Ayappan (Kochuraman)
,,	T. Poulose Chacko
,,	Noha Sahai
Pulaya	P. M. Varghese
,,	Chathan Kunjan
,,	T. K. Azhakan
,,	Kandan Kali Devasia
,,	Chacko Philipose
Cheraman	T. J. Cherian
,,	O. C. John
,,	P M. Joseph
Pulaya	T. Chathan
,,	S. Govindan
Pallan	S. Madaswamy
Barber	R. Gopalan Nair
,,	Chockalingam
,,	K. Kesavan
,,	N. Kesavan
,,	P. Narayanan
,,	N. Gopalan
Yogheeswaran	Arumugham
Velan	R. Madhavan
,,	K. E. Velu
,,	C. K. Karumpan
Thandan	R. Padmanabhan
,,	Kochu Velayudhan
,,	C. A. Ayyappan
,,	V. Nanu
Kusavan	Aiyan Narayanan
,,	Aiyan Kochukunju
,,	Eacharan Eravi
Washerman	T. M. Madhavan Nair
,,	A. Parameswaran Panicker
Edaya	M. Nanu
Kaniyan	K. Chakrapani
Arayan	A. Balakumaran
,,	Ambrose
Chakka	N. Sankaran

Appendix X.

Vide Question No. 292.

Statement furnishing the information about the Pakuthi staff in the Edappalli Edavagai.

No.	Name.	Designation.	Age.	Caste.	Examination qualification.	Date of entertainment.	Date of appointment to present post.	Remarks.
	Edappalli Thekkumbhagom Pakuthy							
1	P. Govinda Pillai	Proverthicar	57	Nayar.	School Leaving, Survey and V. O. Test	19-4-1074	19-4-1074	
2	A. B. Raghavan Pillai	Accountant	26	Do.	Do.	25-4-1101	25-4-1101	
3	Gopala Pillai	Do.	21	Do.	School Leaving and Survey	19-2-1109	19-2-1109	
	Edappalli Vadakkumbhagom Pakuthy.							
4	P. Parameswaran Pillai	Proverthicar	34	Do.	School Leaving	31-9-1100	1-5-1102	
5	V. Parameswaran Pillai	Accountant	28	Do.	Do. Survey and V. O. Test	7-11-1105	23-8-1106	
	Vazhakkulam Pakuthy.							
6	V. S. Gopala Menon	Proverthicar	30	Do.	School Leaving, Survey and V. O. Test	17-8-1101	-8-1106	
7	K. Sankara Pillai	Accountant	28	Do.	Do.	4-12-1102	1-1-1109	
8	S. Narayana Pillai	Do.	33	Do.	Do.	30-8-1107	17-7-1108	
	Thrikunnapuzha Pakuthy.							
9	T. K. Kumara Pillai	Proverthicar	37	Do.	.. ..	9-3-1089	1-8-1107	
10	K. K. Gopalan Nayar	Accountant	20	Do.	Vernacular Higher and Survey	23-8-1106	12-2-1108	
11	M. Narayana Kartha	Do.	22	Do.	School Leaving, Survey and V. O. Test	1-1-1108	10-1-1109	
	Kalloopparа Pakuthy.							
12	K. G. Chandy	Proverthicar	50	Christian.	Pratmika	23-3-1089	1-11-1106	
13	V. G. Kanna Panickar	Accountant	47	Nayar.	.. ..	10-10-1084	Do.	
14	S. G. Govinda Menon	Do.	25	Do.	V. S. L. C. Survey and V. O. Test	15-7-1101	7-1-1108	
15	M. K. Kurien	Do.	18	Christian.	E. S. L. C. and Survey	1-8-1180	1-8-1108	

Appendix XI.

Vide Unstarred Question No. 25.

Statement regarding Agricultural loans from 1101 to 1108, Kunnatnad taluk.

Amount sanctioned and Year.		No. of applications received.	No. sanctioned.	Amount given.	No. of applications received from 1-1-09 to 4-3-09.	Action taken.	Loan given out between 1-1-09 and 4-3-09.
1101.	1,964	14	6	1,964		Enquiries under the rules are being conducted. 8 applications were disposed of during the year.	No loan has been given as the necessary enquiries were not completed.
1102.	3,500	15	9	3,436			
1103.	1,400	28	5	1,400			
1104.	2,550	8	4	2,550	30		
1105.	3,200	27	11	1,800			
1106.	12,558	60	17	9,200			
1107.	10,800	257	51	10,500			
1108.	7,800	49	37	6,675			

Appendix XI.—(*contd.*)

***Vide* Answer to unstarred Questions No. 25.**

Statement *re* Agricultural loans from 1101 to 1108, Parur taluk.

The amount sanctioned for agricultural loans.		The No. of applications for loans received.	The number sanctioned and the amount given out.		The No. of applications received between 1-1-1109 to 4-3-1109.	Action taken on the applications received during the year 1109.	No. of loans given out between 1-1-1109 and 4-3-1109.
Year.	Amount.		No.	Amount.			
1101	2,000	4	4	1,700	..	All the three applications received during the year 1109 up to 4-3-1109 were sent to the respective Proverthicars for the preparation of the plan and mahazar in respect of the properties offered as security, out of which two were returned with the necessary records. The Sub-Registrars concerned have been addressed to send encumbrance certificates in respect of the properties involved in two applications in which the reports from the Proverthicars have been received and those two cases are pending the receipt of reply from them.	
1102	3,700	7	5	3,400	..		
1103	1,500	11	5	950	..		
1104	1,500	6	2	800	..		
1105	1,500	4	2	1,000	3		Nil.
1106	5,500	41	22	4,650	..		
1107	10,300	197	38	9,300	..		
1108	11,945	35	16	11,225	..		

Appendix XII.

***Vide* Unstarred Question No. 26.**

Statement showing the number of suits (original and small cause) in a year from each of the Pakuthies in the jurisdiction of the Perumbavoor Munsiff's Court from 1101 to 1108.

Names of Pakuthies	1101		1102		1103		1104		1105		1106		1107		1108	
	O.S.	S.C.	O.S.	S.C.	O.S.	S.C.	O.S.	S.C.	O.S.	S.C.	O.S.	S.C.	O.S.	S.C.	O.S.	S.C.
Trikkakara	75	52	73	30	61	32	59	45	60	36	50	28	45	39	52	45
Alwaye	125	60	104	31	120	34	102	39	102	35	102	65	97	39	117	52
Edappalli (North)	41	44	61	35	45	25	36	38	37	24	34	27	35	40	72	35
Do (South)	61	47	46	38	45	24	47	25	39	32	48	33	44	38	35	31
Kothakulangara	134	87	97	75	97	63	8[illegible]	65	62	89	72	100	116	130	132	159
Manjapra	23	26	21	37	13	25	24	27	13	22	25	30	25	39	19	35
Manikkamangalam	63	49	53	48	44	54	41	46	50	34	30	54	43	56	35	53
Asamanoor	57	48	40	41	37	49	25	42	26	42	25	45	39	38	31	51
Ramamangalam	91	68	67	50	73	57	55	26	36	55	32	54	43	75	64	69
Kunnathunad	54	27	54	27	53	26	43	49	52	25	38	31	55	40	43	46
Kazhakkambalam	41	29	47	25	36	15	34	28	31	17	50	30	38	30	47	32
Aikkaranad	121	64	89	58	89	49	81	58	61	95	45	38	33	59	57	63
Chemmanad	73	58	59	38	72	39	56	61	49	34	35	31	72	51	50	49
Mazuvanoor	58	52	41	23	45	31	45	33	29	32	42	40	40	46	63	41
Vazhakulam	23	27	23	13	35	25	18	18	22	46	32	34	30	38	25	24
Perumbavoor	118	154	115	99	102	108	89	119	79	100	90	145	74	156	125	144
Vengola	74	51	74	46	75	48	56	50	52	48	52	32	40	45	52	39
Cheranalloor	99	100	84	71	85	58	52	51	69	62	65	47	56	78	66	72
Vengoor	80	73	47	63	72	84	66	76	53	54	40	45	60	70	63	66
Chengamanad	91	59	96	32	21	4	..	..	..	..	..	..	..	..	..	..
Total	1402	1175	1291	886	1220	850	1009	907	922	832	907	909	1005	1107	1148	1106

Appendix XII.—(*contd.*)

Statement showing the number of original and small cause suits filed in the District Munsiff's Court of Parur from 1101 to 1108 (both inclusive) from each of the Pakuthies.

Names of Pakuthies.	1101		1102		1103		1104		1105		1106		1107		1108		Remarks.
	O. S.	S.C.S.	O.S.	S.C.S.	O. S.	S.C.S.	O. S.	S.C.S	O.S.	S.C.S.	O.S.	S.C.S.	O.S.	S.C.S.	O.S.	S.C.S.	
Parur	179	92	193	101	160	66	115	73	145	85	200	87	224	401	182	120	
Vadakekara	111	101	219	76	177	51	128	69	147	53	140	98	172	157	194	117	
Ezhikara	53	39	27	44	40	35	39	38	20	46	15	69	35	39	47	42	
Kottuvaliy	101	72	130	41	112	41	95	44	126	69	116	92	158	82	137	61	
Puthenvelikara	102	52	53	58	71	44	56	42	73	47	51	59	67	22	88	60	
Varapuzha	32	63	63	56	59	41	56	16	56	58	52	67	72	8	60	79	
Puthenchira	121	49	29	24	28	16	25	58	30	26	29	31	40	4	22	27	
Bund	2	..	2	..	7	..	3	..	5	7	3	2	2	..	5	3	
Alengad	130	37	146	67	76	58	78	86	80	61	67	73	100	9	88	120	
Aiyrur	111	61	92	80	97	90	78	23	101	116	93	121	129	79	97	149	
Kodungalloor	110	23	72	22	55	26	75	24	46	22	38	29	60	29	59	43	
Parakkadavu	59	59	27	14	23	25	22	27	20	14	17	17	32	17	34	36	
Chengamanad	..	..	..	..	139	31	131	29	64	18	33	21	45	59	71	96	
Total	1111	648	1053	583	1044	522	901	529	913	618	854	766	1136	906	1084	953	

Appendix XII—(*contd.*)

Statement showing the number of small causes up to Rs. 50 filed from each of the Pakuthies in the jurisdiction of the Perumbavoor Munsiff's Court from 1101 to 1108.

Names of Pakuthies.	1101	1102	1103	1104	1105	1106	1107	1108
Trikkakara	35	23	23	13	24	23	24	19
Alwaye	32	10	11	33	12	39	18	17
Edappalli (North)	29	24	18	26	20	17	25	20
Edappalli (South)	31	25	13	24	21	20	28	18
Kothakulangara	63	44	38	54	68	83	89	107
Manjapra	17	29	16	25	17	27	30	24
Manikkamangalam	26	32	40	27	29	45	40	40
Asamanoor	31	27	38	32	36	35	26	24
Ramamangalam	44	32	36	34	37	30	56	39
Kunnathunad	13	18	17	42	19	20	31	31
Kazhukkambalam	15	16	15	26	10	22	16	21
Aikkaranad	39	34	36	42	32	28	37	27
Chemmanad	34	23	29	44	26	24	38	23
Mazuvanoor	31	11	21	24	29	27	31	17
Vazakulam	23	7	19	13	33	25	25	14
Perumbavoor	108	77	81	80	77	106	123	93
Vengola	35	28	31	43	38	26	39	17
Cheranalloor	78	60	38	40	47	30	57	40
Vengoor	55	46	68	48	45	30	57	39
Chengamanad	32	9	1	..	..	...	...	...

Appendix XII—(*concluded.*)

Statement showing the number of small cause suits filed up to Rs. 50 from each of the Pakuthies from 1101 to 1108 (both inclusive) in the District Munsiff's Court of Parur.

Names of Pakuthies.	1101	1102	1103	1104	1105	1106	1107	1108	Remarks
Parur	30	39	15	13	20	16	18	15	
Vadakekara	6	11	4	8	3	6	11	15	
Ezhikara	31	39	20	26	31	37	29	32	
Kottuvally	4	7	6	5	6	14	12	13	
Puthenvelikara	44	69	34	37	34	29	38	45	
Varapuzha	40	22	28	24	38	52	58	55	
Puthenchira	18	21	12	14	14	12	22	20	
Bund	..	..	..	..	..	1	..	..	
Alengad	73	33	43	32	36	66	65	87	
Aiyrur	63	71	64	81	72	74	119	111	
Kodungaloor	15	7	15	21	16	26	23	34	
Parakadavu	12	7	20	8	11	15	33	27	
Chengamanad	1	..	10	11	9	4	9	87	
Total ...	337	326	271	280	290	352	437	541	

Appendix XIII.

***Vide* Unstarred Question No. 31.**

Statement showing the present clerical staff of the offices of the Inspectress and Assistant Inspectresses of Girls Schools, Districts I to VI.

Serial No.	Name.	Designation.	Scale of pay.	Pay. Rs.	Remarks.
	I. Office of the Inspectress of Girls' Schools.				
1	H. Venkitarama Iyer ..	Head clerk, office of the Inspectress of Girls' Schools	50-5/2-75	75	On leave preparatory to retirement.
	K. R. Narayana Iyer .	Acting Head Clerk Do.	Do.	55	Acting.
2	Miss. Chellamma Samuel B. A., L. T. .	Head Accountant Do.	0-5/2-60	50	
3	S. Venkitarama Iyer .	Clerk Do.	25-5|3-40	40	
4	N. Krishna Iyer .	Do. Do.	Do.	30	
5	Miss. Chellamma Michael .	Do. Do.	20-2|3-30	24	On other duty as Ag. clerk in the E. H. S. for Girls, Trivandrum.
	Sry. E. Kamalakshi Amma (Ag.) .	Do. Do.	Do.	20	
6	„ P. Seethalekshmi Amma .	Do. Do.	Do.	22	
7	P. K. Krishna Pillai .	Do. Do.	Do.	26	
8	N. Parameswaran Pillai .	Do. Do.	Do.	25	
9	Sry. K. Bhargavi .	Do. Do.	Do.	20	
10	Miss. Rose Samuel .	Typist Do.	20-3|2-35	20	
	II. Office of the Assistant Inspectress, District II, Trivandrum.				
1	C. Padmanabha Pillai .	Head clerk, office of the Asst. Inspectress, District II.	30	30	
2	T. N. Narayana Pillai .	Clerk Do.	20-1-25	25	

APPENDIX XIII—(*contd.*)

Serial No.	Name.	Designation.	Scale of pay.	Pay. Rs.	Remarks.
	III. Office of the Assistant Inspectress, District I, Eraniel.				
1	S. C. Varadhan Pillai	Head clerk, office of the Assistant Inspectress, District I.	30	30	
2	A. Skandaswami Pillai	Clerk Do.	20-1-25	25	
	IV. Office of the Assistant Inspectress District, III, Quilon.				
1	S. Parameswaran Pillai	Head clerk, office of the Assistant Inspectress, District III.	30	30	
2	G. Narayana Pillai	Clerk Do.	20-1-25	25	
	V. Office of the Assistant Inspectress, District IV, Tiruvella.				
1	P. R. Subrahmanya Iyer	Head clerk, office of the Assistant Inspectress, District IV.	30	30	
2	Madhava Panicker	Clerk Do.	20-1-25	20	
	VI. Office of the Assistant Inspectress District V, Kottayam.				
1	K. N. Parameswaran Pillai	Head clerk, office of the Assistant Inspectress, District V.	30	30	
2	Sry. E. Kamalakshi Amma	Clerk Do.	20-1-25	20	On other duty as Ag. clerk in the office of the Inspectress of Girls, Schools.
	Thanappan Pillai (Ag.)	Do. Do.	Do.	20	
	VII. Office of the Assistant Inspectress, District VI, Alwaye.				
1	P. G. Ramaswami Iyer	Head clerk, office of the Assistant Inspectress, District VI.	30	30	
2	K. S. Venkitachalam Iyer	Clerk Do.	25	25	

DEMANDS FOR SUPPLEMENTARY GRANTS—(*contd.*)

GENERAL ADMINISTRATION.

PRESIDENT : The House will resume the discussion on Demand 3 in the last of Demads for supplementary grants. Mr. Chidambaram Pillai had not completed his speech yesterday. Will he please continue?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : As regards recruitment, the Committee missed one important field, *viz.*, the Legislature of the country. In so far as the superior services are concerned, it has been forgotten that the Government Service could be filled by members of the Legislature. Perhaps the mistake arose in this way. The expression 'Public Service' has been misunderstood by the Committee. The name "Public Servants" cannot properly be applied to Government servants. We, the elected members of the Legislature, are the public servants. We are doing public service. It is much more proper to call members of the Legislature 'public servants' than the Government employees. Government employees, in my view, are not public servants at all.

In olden days, one of the essential conditions for recruitment, so far as the higher posts were concerned, was that persons should have rendered meritorious public service, and it was understood also that men and women who played a prominent part in public life would be entertained in Government service. That aspect of the question has not been understood or rather has been missed by the Committee. Now to illustrate, I may be permitted to say, in passing, Sir, that public life has got to be lived now under very strenuous conditions. For instance, there are the Municipalities. These Municipalities are rendering public service and people who have got experience of local self government, like Municipal Presidents, for instance, have got first-hand experience of men and things also. Their services could be utilized. Not only they, but members of the Legislature, could also be appointed in Government service. It is not to be understood that members of the Legislature are above accepting Government employment. That is a mistake altogether. Many people in the Legislature have accepted Government service in the past and they have shone in the Government service also. Therefore some seats must have been reserved for the members of the Legislature.

My friend, Mr. Thanu Pillai, asked me a question yesterday why the Vellalas were fighting shy of having to pass competitive examinations. We do not get elected to the Legislature by competitive examinations. If we are fit enough as legislators because of other qualifications, I believe, the same qualification might hold good in the case of public service, I mean Government service, also.

MR. K. R. ELENKATH (*Kallulam I*) : May I know from the member whether the member suggests any proportion for the members of the Legislature?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : On an equal basis, say 50 per cent.; No harm in that. For instance, that

would be solving the difficulty of some of the members. They could avoid competitive examinations and the very necessary qualification required for competitive examinations. I shall cite an instance. A Tahsildar for Nedumangad is wanted. If I were asked to sit for a competitive examination I am not sure of getting through. People of Nedumangad will not vote for me for a Tahsildar's place. There will be only one person fit for the place, *viz.*, the honourable gentleman who now fills that place in the Assembly. It will have to be people who have got experience in the public service. Again, for instance, during the course of the discussion on the Edavagai Bill, one of my friends on this side of the House, did yeoman service on behalf of the public. As a matter of fact, he was fighting single-handed for the public; and what recognition does the Report bestow upon such public service? Though I am putting it lightly, these are also matters that ought to be considered by the Government.

Secondly, I come to the Vellala group; and naturally I am afraid of competitive examination and I believe that there are ever so many other sections of the people who feel like that. In the Report itself we find that the classification proceeds upon some communities being treated as monopolists and some as non-monopolists and lately I came to know that the Vellalas also fall within the category of monopolists. I was not aware of it till very recently; and if it is so, I am very sorry for the Vellalas because they have no right of monopolising the Government service.

MR. K. R. ELENKATH (*Kaikulam I*): May I know from the member whether any monopoly is granted by Government to any community?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): It is not a question of Government granting it, nor their going and seizing it.

I will just show how it came about. Years ago, there was one Dewan by name Arumugom Pillai. Dewans were known as Dalavas. He was taken captive by enemies from British India. The Ruler of that time was in difficulties and he paid a large sum of money, borrowed from Kottar merchants, as ransom to the enemies to free the Dewan. Those people received the money, but they did not release the Dewan then. So the Vellalas thought, perhaps, that the Dewanship was a troublesome affair and they never aspired for it, afterwards. *(Laughter.)* Then they began to monopolise the Account Department. They were not exactly responsible for that state of affairs, because, during the time of Her Highness Rani Parvati Bai, it seems that people in North Travancore were not familiar with accounts and account-keeping. Therefore, some of these people were sent over to North Travancore for teaching accounts and Tamil in schools to be started by them. This is the *Neet* issued by Her Highness on the 19th of Edavam 992 M. E.

"കൊടുത്തുട്ട സാധനവും വായിച്ചുകേട്ടു അവസ്ഥയും അറിഞ്ഞു.
കൊല്ലത്തിനു വടക്കുള്ള പ്രദേശങ്ങളിൽ ഉള്ള പിള്ളരെ എഴുത്തുപഠിപ്പി

[Mr. P. Chidambaram Pillai]

കുന്നതിന് വാദ്ധ്യാന്മാർക്കു ശമ്പളംകൊടുപ്പാൻ ജനങ്ങൾക്കു വകയില്ലാതെയും പള്ളിക്കൂടവുംവച്ചു വാദ്ധ്യാന്മാർ വന്നു പാർക്കാതെയും ആ ദിക്കിലുള്ള ആളുകൾക്കു എഴുത്തും കണക്കും ഇടപെട്ടുള്ള അഭ്യാസം ഏററവും കുറവായിട്ടു വന്നിരിക്കുന്നുവെന്നും, പണ്ടാരവകയിൽനിന്നും ശമ്പളംകൊടുത്തു വാദ്ധ്യാന്മാരെ ആക്കി പിള്ളരെ എഴുത്തും കണക്കും പഠിപ്പിച്ചു പ്രാപ്തരാക്കിയാൽ ഓരോ ഉദ്യോഗത്തിനും കണക്കെഴുത്തിനും ഉപകാരമായിട്ടും രാജ്യത്തെയ്ക്കു യശസ്സും കീർത്തിയും ധർമ്മവും അഭിവൃദ്ധിയായിട്ടും വരുന്നതാകകൊണ്ടു ആ വകക്കു മലയാണ്മ അക്ഷരവും വില്പത്തിയും ജ്യോതിഷവും വശമുള്ളതിൽ ഒരാളിനേയും, തമിഴും കണക്കും വശമുള്ളതിൽ ഒരാളിനേയും ഇതിൻവണ്ണം ഓരോ സ്ഥലത്തേക്കു രണ്ടു വാദ്ധ്യാന്മാർവീതം ആക്കി അവർക്കു പേർ ഒന്നിനു മാസം ഒന്നിനു ൨൦ പണം വീതം ശമ്പളംവച്ചുകൊടുത്താൽ പഠിപ്പിക്കുന്നതാകകൊണ്ടു ഇപ്പോൾ മാവേലിക്കര മണ്ഡപത്തുംവാതുക്കലേക്കു രാമവാര്യനേയും, ശങ്കരലിംഗവാദ്ധ്യാനേയും, കാർത്തികപ്പള്ളി മണ്ഡപത്തുംവാതുക്കലേക്കു അരിപ്പാട്ടു കൊച്ചുപിള്ള വാര്യനേയും ശുചീന്ദ്രത്തു വള്ളിനായകം വാദ്ധ്യാനേയും തിരുവല്ലാ മണ്ഡപത്തും വാതുക്കലേക്കു വട്ടപ്പറമ്പിൽ കുഞ്ഞുകുഞ്ഞിനേയും ചട്ടനാഥവാദ്ധ്യാനേയും കൊട്ടാരക്കര മണ്ഡപത്തുംവാതുക്കലേക്കു പേരൂർ കുറുപ്പിനേയും ശിവജ്ഞാനംപിള്ളയേയും ആക്കി അവർക്കു പേരൊന്നിനു ൨൦ പണംവീതം ശമ്പളംവച്ചു കൊടുപ്പിക്കേണ്ടുന്ന അവസ്ഥകൊണ്ടല്ലോ എഴുതിവന്നതിനാലാകുന്നു.

ഇപ്രകാരം നിശ്ചയിച്ചതു യുക്തമായിട്ടുള്ളതാകകൊണ്ടു

ദിവാൻ പേഷ്കാർ വെങ്കിട്ടരായർക്കു നീട്ടെഴുതിവിട്ടു എന്നു തിരുവുള്ളമായ നീട്ടു.

തുല്യംചാർത്തു.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether there is any reference in the *Neet* that has been read that only a particular community shall be educated?

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): No. What is said there is that it will be a good thing if these Vellalas from South Travancore are sent over for the purpose of starting schools to educate the North Travancoreans in Tamil and Accounts. It is for that purpose most of these people, namely, Vellalas, went over there because they were supposed to possess some very good idea of accounts. Further the accounts came to be written up in fractions *mahanies* and *mundanis* (മാഹാണി, മുണ്ടാണി) with which they were familiar. In that

way they came to be employed in Government service. Latterly, of course, they fell out of this Government business and are now keeping quiet.

To come back to the subject. There is one qualification that the Committee has recommended, namely, the institution of competitive examinations. If a competitive examination is going to be held purely in Tamil, I am quite sure the Vellala also will be there. Now, most of the examinations which are being conducted in the State are either in Malayalam or in English, languages with which they are not familiar.

That leads me to another aspect of the question so far as recruitment is concerned, *viz.*, the question of taxation. After all what the Committee was engaged in was for merely devising methods of dividing the taxes of the country as between the several communities. The importance of the question of taxation was not sufficiently clearly considered by the Committee. In other words, due importance was not given to that aspect of the question. I say that must be the basis of recruitment, as matters stand at present, so far as Government service is concerned. Because, that is the basis upon which this Legislature has been formed. If that be the case, then I ask, in all seriousness, why that aspect of the question should not be taken into consideration, *viz.*, the proportion of direct taxes each community pays. Among the several formulas, the methods which have to be taken up for consideration, the proportion of direct taxes paid by the communities also must be given sufficient importance. If that is taken into account, it will be found that the Vellala and the Tamilian generally will be in as goood a position as any other community.

There is one other small factor, *viz.*, the question of communal representation. That has become out of date so far as the Madras Presidency is concerned. They have got sick of it. There are only two parties, the Brahmin and the non-Brahmin. The non-Brahmin party has become sick of the whole affair and they are even prepared to give it up now. It is merely a question of time. The non-Brahmin party is willing to admit even Brahmins into their fold and be done with the whole affair. It is when matters like this are going on there that we think of communal representation here. Seventeen years have gone by since the formation of the non-Brahmin party in Madras. That question is being mooted only now in Travancore.

Along with that question, several new questions on politics have been brought up. There are new political ideas which have come into existence. Formation of new Provinces on a linguistic basis has become the cry of the day. For instance, the Ooriyas want a separate Province, the Andhras want another, the Karnatakas are agitating for a province of their own and lastly the Keralas want a Province for themselves. When all these Provinces come into existence, then there will be only the Tamil Province left. It is inevitable. That is one aspect of the matter that has to be considered. The people now-a-days are canvassing for the formation of Provinces. If you study the question seriously,

[Mr. P. Chidambaram Pillai.]

you will know that the time is fast approaching in Travancore also when the Tamilians here will agitate for the formation of a separate Tamil Province in the State. That is a matter which has not been considered by the Committee. I think Government will bestow sufficient consideration upon all these aspects and accept whatever recommendations they think fit.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I wish to offer a few remarks on the recommendations made by the Public Service Committee. Sir, there cannot be any serious argument levelled against the principle that, in public service, no less than in any other field of employment, merit and character should be the primary considerations. There cannot be any serious argument against that proposition. Even this Committee was not able to controvert it and even they straightaway accepted that as an ideal. Reasons cannot be alleged to shake that position and it has been admitted fortunately that merit and character should be the ideals of recruitment in public service. But the Committee feels, and perhaps that may be so, that there is absolutely no such thing as reason and sense in the matter of communal feeling. The question at issue is only how to create a sort of feeling of security among the communities. There may be communities suffering from inferiority complex. If character and merit alone are considered, there need be no such thing like inferiority complex and superiority complex. I for my part do not concede that that position is justifiable or reasonable. At any rate, it is an exaggerated notion. The communities, which do not find a place in the service, are fearing too much that they will never be able to come up to occupy positions of trust and responsibility purely on a ticket of merit and character. That is despising themselves. All the same, I concede that the primary object of the Committee is not to take a position which will have a mere logical soundness, but to take a position in such a way that communities who happen to be not sufficiently represented in the service will have more confidence and security by providing the means by which their numbers in the public service would be augmented. That position has to be taken into consideration by every practical administrator. That cannot be denied. However illogical the position might be, the claim has to be satisfied to a certain extent. But to satisfy the claim, the paramount considerations of service and the paramount considerations of justice and equity cannot be overthrown. That is the only point that I wish to put forward. Sir, it may be necessary to allay apprehension to provide some place in the public service to these communities. Some provision should be made for that. Where the Committee has gone wrong is in having exaggerated commual claims and in minimising the paramount considerations of efficiency. I mean the majority in the Committee have neglected the consideration of an element of efficiency in the service and have suggested equal distribution of offices according to the population as far as possible.

At this stage the President left the House and the Deputy President occupied the Chair.

With regard to the inferior services as defined in the T. S. R., I may at the outset concede that the policy enunciated by the Committee may be adopted, if that would allay the clamour, if that will put an end to the waste of energy and time spent upon this question. But even here there is need for caution in the matter of certain departments. But generally the Committee's recommendations may be accepted.

But one consideration I wish to urge for the attention of Government is about the constabulary. Officers of the inferior and superior ervice are under the constabulary. I wish to point out that the Police should be efficient in the matter of discharge of their duties. They must be able to keep law and order. They must be able to restore order where there is chaos. That should be the paramount consideration. Consistent with that consideration, recruitment on a population basis alone or on a basis that is designed to allay popular clamour, may be dangerous. Take, for example, the depressed class men taken as constables of a particular grade. On account of their position in society, it may not be possible for them to discharge their duties as constables. As a matter of fact, the position now is that they are not able to do it. It is not for want of sympathy for the depressed classes that I wish to emphasise that the paramount considerations of efficiency and the object of service should not be lost sight of, when you take into consideration the principles of recruitment and when you apply them without looking into the circumstances of each case.

Then I come to the superior service. I shall take only a few of the recommendations of the Committee and offer my remarks on some of them. According to the recommendation No 20, by competitive examination, that is by pure competition, only 10 per cent. is to be taken and the remaining 90 per cent. is to be determined by an eliminative process selecting the most efficient man in each community. First of all, I would say that 10 per cent. prescribed for competition is much too low a percentage. I would straightaway suggest at least 25 per cent., a very modest demand which is the marginal minimum that I can find any Government or any body of reasonable people can fix without prejudice to anybody and taking into account the paramount considerations of service. Therefore I suggest 25 per cent. at least should be thrown open to pure open competition. Among the rest there are two groups. According to the Report of the Committee, 10 per cent. is to be taken by merit and 90 per cent. by elimination of the best in each community and by communal rotation. According to me, 25 per cent. must be by pure competitive examination and the remaining 75 per cent. should be by another method. Out of the 75 per cent. according to me, 10 per cent. should be reserved for depressed classes. My justification for that is they have been denied the opportunities of getting themselves educated and depressed class people according to me are those whose literacy is 10 per mille. That consideration should be shown only to such of the depressed classes, whose literacy is only 10 per mille.

MR. N. JOHN JOSEPH (*Nominated*): ഡിപ്രസ്‌ഡ് ക്ലാസ് എന്നുള്ളതിൽ ഹിന്ദുക്കളും ക്രിസ്ത്യാനികളുമായ അധഃകൃതരെ പരിഗണിച്ചുകൊണ്ടാണൊ മെമ്പർ സംസാരിക്കുന്നതു്?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes, first of all, I do not differentiate between Hindus and Christians. I said people who are literate 10 per mille be taken as depressed classes. But 10 per cent. for the Hindu depressed classes should be taken from the quota allotted to the whole Hindu group according to its population, and the rotation must be within the Hindu group only in case of vacancy. In the Christian group, the population of the depressed class Christians is very large, and certainly their claims should be considered separately from the Christian group. From the quota allotted to the Christian group, I think more than 10 per cent. is due to the depressed class Christians. But it must be made clear that the depressed class Christians shall take their share only from the quota allotted to the Christian group. Then, about the remaining offices which form the 65 per cent., I wish to suggest that the formula suggested in the dissenting minute by Mr. Thanu Pillai is reasonable. It appears to me to be absolutely fair, moderate, very practical and as one which no reasonable man could refuse to accept, and that is this. If you have got 10 vacancies after holding the competitive examination, take the first 20 in the order of rank, and out of that 20 follow the communal rotation as suggested by the Public Service Recruitment Committee. That would be the suggestion with regard to other appointments, Sir. There is absolutely no purpose served in going on criticising any particular community or finding fault with them for the number of appointments that they have at present in the service. It will lead to no useful purpose and I do not wish to dilate on that aspect of the question. Let us take facts as they are. Let us find out a feasible solution under the present circumstances

Sir, on one or two points more, I wish to offer my remarks. One is with regard to aided schools and communal representation in regard to the aided schools. Sir, it has been passed by a majority of the members of the Public Service Recruitment Committee that, if communal considerations are to weigh with Government in the matter of recruitment of teachers in departmental schools, then it ought to be done keeping in view the representation of communities in the aided schools of the State as well. Mr. Padmanabhan yesterday raised that question and seems to fret and fume over that. What is there that is inequitable? What is there that is unjust? It is impossible for me to see that, though I tried my level best to put myself in the position of Mr. Padmanabhan. I think it is a manifestly unjust arrangement that is going on in the aided schools. Mr. Padmanabhan may know that pretty well; but what is the sort of treatment that is meted out to the teachers? It is admitted by the educational authority who was in charge of the department. He admits very frankly that the aided schools are communal. There is no question about that. He says that teachers

belonging to other communities are sent out without any compunction of conscience by managers, while at the same time employing men belonging to their own community. Salary cuts are also introduced by discriminating the employees in the same institutions according to communities as occasion suits.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know how this is relevant, Sir ?

DEPUTY PRESIDENT : Well, that is a point which Mr. Padmanabhan need not raise. The relevancy is for the decision of the Chair.

MR. K. PADMANABHAN (*Chirayinkil I*) : My point is whether the member was right in referring to the treatment accorded to teachers in private schools. The question we have to consider is whether the representation of the teachers in private schools should be taken into account in making appointments in Government schools.

DEPUTY PRESIDENT ; I think Mr. Kunjukrishna Pillai is in order because at least by way of analogy it has to be referred.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : What I wish to suggest is that managers should not be given the power of making appointments of teachers. The appointments should be made by the Government direct. With regard to appointments in aided schools, if the control be exercised by Government, people belonging to all communities will be recruited, keeping a general list of names for both the aided schools and the departmental schools. According to Mr. McAlpine who was then the Director of Public Instruction, there is absolutely no difference between the two types of schools. One is a school in which the teacher gets a pension and the other is a school in which he does not get a pension. In the case of private schools, the grant-in-aid given to them is paid by the general tax-payer, and the school fees are paid by the children of all communities. It has to be pointed out that many of these denominational schools have been brought into existence, and they continue to function, because of the help rendered by the people of the locality irrespective of caste or religion. These schools should not be left to the whims and caprices of managers. There must be a standard of efficiency, there must be security of tenure and all the rest of it, because Rs 11 lahks of the general tax-payer goes a long way in the matter of the existence and functioning of these institutions.

MR. K. PADMANABHAN (*Chirayinkil I*) : May I know from the member what he has to say about aided primary schools ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I say, referring to the primary schools, the situation is entirely different. It is not like what is said by my honourable friend Mr. Padmanabhan. The entire pay of the teachers, as given in the aided primary schools, at any rate, is from the grant-in-aid given by the Department. That position cannot be controverted. And with regard to other schools, we all know what the Education Reforms Committee has recorded, how the managers of certain schools manipulate their accounts, how they keep two sets of books, etc. And the least said of it the better. I hope my friend would not drag me to these things.

MR. N. E. VARUGHESE (*Tiruvalla I*): ചർച്ച് ആഫ് ഇംഗ്ലണ്ട് സമുദായക്കാർ നടത്തുന്ന പള്ളിക്കൂടങ്ങളിൽ ഗ്രാൻറുമാത്രമേ ശമ്പളമായി കൊടുക്കുന്നുള്ളു എന്നു മെമ്പർക്ക് എങ്ങനെ അറിയാം?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I never said anything like that.

DEPUTY PRESIDENT Mr. Kunjukrishna Pillai did not say anything with regard to the Church of England schools.

MR. N. E VARUGHESE (*Tiruvalla I*): ചർച്ച് ആഫ് ഇംഗ്ലണ്ടു സമുദായം പ്രൈമറിസ്കൂളുകൾ നടത്തുന്നുണ്ട്. അവർ ഗ്രാൻറുമാത്രമേ ശമ്പളമായി കൊടുക്കുന്നുള്ളു എന്നു മെമ്പർക്കു എങ്ങിനെ അറിയാം?

DEPUTY PRESIDENT: He did not mention anything about that type of schools; so the question is irrelevant.

MR. N. E. VARUGHESE (*Tiruvalla I*): പ്രൈമറിസ്കൂളും എന്നു പറയുന്നതു.........

DEPUTY PRESIDENT: Will the member please sit down? When Mr. Kunjukrishna Pillai says that he did not mean anything like that, any attempt to put questions is trying to use the time for purposes which are not proper.

MR. N. JOHN JOSEPH (*Nominated*): ഗവർമ്മെൻറു കൊടുക്കുന്ന ഗ്രാൻറുപോലും ശമ്പളമായി കൊടുക്കാതിരിക്കുന്ന അനേകം സ്കൂളുകളുണ്ടെന്നു മെമ്പർക്കറിയാമൊ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I did not include those schools, Sir. If these authorities are prepared to surrender the grants, I shall not talk anything about them. Because public money is spent on them, I have got a right to ask for representation if there is to be representation in the departmental schools. That is a simple point. If such representation is allowed in departmental schools, I cannot understand how that position cannot be recognised in private schools. A recommendation that has been passed by a majority of the Committee, except a very few extreme communalists, has controverted that position. It is a very moderate and absolutely just position to take and Government should accept that position. Then with regard to acting appointments also, I wish to say a word.

MR. C. V. KUNJURAMAN (*Nominated*): എല്ലാം സമുദായത്തിനും ജനസംഖ്യക്കനുരൂപമായ സർവീസ്സ് കിട്ടണമെന്നു പറഞ്ഞു. എല്ലാ സമുദായക്കാരും ഗ്രാൻറുപള്ളിക്കൂടങ്ങൾ നടത്തിയാൽ ജനസംഖ്യക്കനുസരണമായ ഉദ്യോഗങ്ങൾ കിട്ടുന്നില്ല എന്ന പരാതിക്കു ഒരു ശമനം വരികയില്ലേ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I understand the question, Sir. The difficulty will be this. Schools may not be permitted to be opened for the sake of providing appointments for the communities. They may be starting a school, which may be an overlapping school; and the Director of Public Instruction may not sanction the opening of that school. Even the opening of such schools cannot get recognition and grant. Whether communities cannot open schools and thus employ their own men is, I think, not a practical question and therefore, it cannot be considered.

MR. A. THANU PILLAI (*Trivandrum-Rural*): My point is, when a private school has been allowed to start, and public money is spent on it, cannot the managements then employ their own men?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes, that is what I was trying to say. The management gets some monopoly over the locality and there is absolutely every justification for distribution according to community, taking this principle into consideration, when appointments are to be made, if that is to be the principle with regard to departmental schools. But, as a matter of fact, I wish to emphatically suggest that, at least in the Education Department, if it is possible for Government, no question of communal representation, no other question except the question of merit should weigh with Government. I find a pathetic plea of the Director of Public Instruction quoted in the Report. He says, at least for the sake of your children at school, do not allow them to be taught by third rate men, at least leave the Education Department free. I think there is an important justification, especially with regard to the Education Department, to accept that plea. But, if Government find it impossible to accept that, then the question of communal representation ought to be extended in the matter of recruitment in the aided schools; and when they consider the appointments in departmental schools, the representation in the aided schools should also be taken into consideration.

MR. K. SANKARAN (*Kartikapalli I*): May I know from the member whether the question of efficiency alone is to be taken into account in making appointments?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Yes, I am at one with him, Sir.

DEPUTY PRESIDENT: How can Mr. Kunjukrishna Pillai say that he agrees with him, when he is to answer that question? I understand from the question that there is absolutely no principle recognised in the matter of present recruitment.

MR. K. SANKARAN (*Kartikapalli I*): Will the member be in a position to explain the over-representation of certain communities in the Education Department, particularly in the Vernacular Section?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Certainly, some communities took to education more keenly; they got through the examinations in large numbers; they got themselves qualified earlier; and

[Mr. K. Kunjukrishna Pillai.]

their number was so large and the demand so great and insistent, that they got themselves appointed to the earliest vacancies; and as certain communities alone specially answered the requirements of service, they were taken.

They got themselves qualified in very large numbers much earlier than the other communities who now clamour for communal representation in service. The demand for qualified hands was so great, urgent and insistent. Government had to recruit the qualified candidates available. Because certain communities alone had taken to education, naturally, they happened to be recruited in larger numbers.

MR. K SANKARAN (*Kartikapalli I*) : Do I understand the member to say that in those days particular communities were not in a position to supply the required number of qualified hands ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Certain communities were not able to compete successfully with others more advanced in education.

MR. K. SANKARAN (*Kartikapalli I*) : Apart from the question of their inability to compete, may I know from the member whether he suggests that the communities now inadequately represented were formerly not in a position to supply the required number of qualified hands ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : They were not, for a very long time. That is obvious. Qualified hands became available, in those communities, only recently.

Sir, I was speaking about the acting hands. I find in the Report a very unholy attempt being made, and supported even by one of the official members of the Committee, that acting service should not be recognised as a principle. The Committee has even recommended that such a pernicious rule must take retrospective effect. On account of the unfortunate position that a particular acting hand belongs to a certain community, the suggestion is that his acting claims should not be recognised. This is a position which, to my surprise, even an official member of the Committee has subscribed to.

DEPUTY PRESIDENT : I take it that the position taken by the official member you are referring to has been published in the Report itself.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Yes, Sir. I thought that Government servants knew best how painful it is to be deprived of one's acting claims. I am sorry to find that even an officer of Government has, instead of respecting acting claims, recommended that they must be overlooked.

MR. K. SANKARAN (*Kartikapalli I*) : May I ask the member whether there is anything in the Report to show that acting hands belonging to certain communities alone should not be given the benefit of their acting claims ? The member was saying.—

DEPUTY PRESIDENT : You need not explain the question; you need merely put it.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): The member has misunderstood me.

DEPUTY PRESIDENT : I may once again state that Mr. Kunjukrishna Pillai or any other member should not read any particular opinion in a question put to him. He has merely to give his answer to the question.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : I did not refer to the unfortunate position of any particular community with regard to the committee's recommendation about acting hands. I merely made a general observation.

What I submit, Sir, is that there can be no justification for excluding anybody who has put in any acting service, even if it is for a single day. I take it that Government will not overlook the claims of these numerous acting hands.

MR. M. SIVATANU PILLAI (*Tovala*) : Sir, the Report of the Public Service Recruitment Committee appears to me a very good book. In short, it puts in a nut-shell the present condition of Travancore as a whole. It is not only voluminous in picturing the various kinds of forces working in the State but is also interesting in showing how these forces develop in the march of events. Sir, reading it as a whole in a cursory manner, I found it very difficult and taxing to study the Report in detail; and so I thought I would rather run through the whole book and try to understand the important aspects of it. I find that the Report is usefully mischievous and also portentious. It is true that the book is, in its own way, mischievous; because, it has encouraged the clamour and scramble for Government jobs. It is also useful because it gives a correct idea of the forces working for and against the interests of the State as a whole. It is helpful in gauging the present situation in its true perspective. It is also portentious because it presents vividly the grave situation in the country. But, it has drawn the attention of the people to certain matters which would help them to take stock of the situation and to try to find out ways and means to remedy them.

We have been listening to a sort of humorous speech by Mr. Chidambaram Pillai. In spite of the apparent humour, when I tried to go deeper into his speech, I found the portentious nature of the Report being borne out in the main point of his speech. In his own humorous way, he was referring to the contemplated formation of provinces or divisions in terms of language—as the Andhra Province or the Kerala Province or the Tamil Province, as in British India and he also made a passing reference to the Vellalas as a community. Sir, apart from the humour in his speech, let me just try to look deeper into it, and read between the lines. What I was able to gather from his speech is this. A feeling has been developing in the State—at any rate among certain communities—that they should not at all concern themselves in the affairs of the State any longer, because they have been highly

[Mr. M. Sivatanu Pillai.]

dissatisfied by the present state of things in the matter of representation in the public services. Sir, I am inclined to think that due representation in public service to all communities alike can alone ease the situation. There is nothing which will satisfy the various communities in the State as a fair and equitable distribution of Government appointments. Sir, my friends, on this side of the House, may talk of efficiency, nationalism, democracy and all that. I venture to submit that all these have no practical application. In regard to efficiency, for instance, I challenge anybody to come forward and say that efficiency has hitherto been the hall-mark for recruitment to public service. Under those circumstances, I ask where is the justification for speaking about efficiency when we talk of communal representation in public service. Efficiency is nothing more than a mental attitude. I do not think it can have any real importance in practical affairs of human beings which are changing every moment with an amount of acceleration. We have got to take things as they are and try to remedy defects, if any. There is no use trying to drag in vague ideas about efficiency and other such species of mental fads. I rather fight shy of such things. I take my position on strong practical grounds. Members may wax eloquent on considerations of efficiency, especially when the principle of communal representation is being considered, as it suits them.

DEPUTY PRESIDENT: I am afraid Mr. Sivatanu Pillai is raising a point which may not be very profitable for our discussion: because, so far as I could hear, I did not find any member saying that communal representation and efficiency are two different things and that efficiency was inconsistent with communal representation. What was urged by some members is that, consistent with efficiency, the question of communal representation must be considered. I do not think anybody suggested that communal representation and efficiency of service are incompatible. That is the position.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, it is that that I do not agree to. I contend that, if efficiency is emphasised, there is absolutely no scope for communal representation. Both these cannot, in my humble opinion, go together at all. Communal representation, in its strict and narrow sense, is always inconsistent with efficiency. That is why I propose not to club these two things together. As I have already submitted, so far as I have been able to see, recruitment to public service in Travancore has never been based on efficiency. I for one fail to understand what sort of efficiency--

DEPUTY PRESIDENT: You are only attempting to show that the rule has been broken?

MR. M. SIVATANU PILLAI (*Tovala*): My submission is that, as a practical proposition, considerations of efficiency will not weigh and have not weighed with our appointing authorities uniformly in all cases; and yet we mean impliedly our services at present are efficient, which I dispute.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): May I know what, according to the member, is exactly the test of efficiency for the Dewan's place in Travancore?

MR. M. SIVATANU PILLAI (*Tovala*): I am obliged to the member for reminding me of one particular aspect of the principle of communal representation.

DEPUTY PRESIDENT: I think Mr. Sivatanu Pillai need not labour that point. The enquiry made by the Public Service Recruitment Committee does not relate to the appointment of the Dewan. That is an exceptional appointment, wherein the confidence of His Highness the Maha Raja is the most important consideration. Not that you cannot refer to it; only you should not expatiate on it.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): Is it excluded from public service?

DEPUTY PRESIDENT: The question has not been definitely raised so far as I am aware.

MR. M. SIVATANU PILLAI (*Tovala*): My experience shows that sometimes Dewans are appointed in recognition of their past services to the public.

MR. K. R. ELENKATH (*Kalkulam I*): I would like to know whether the percentages dealt with by the Committee apply to the place of the Dewan.

MR. M. SIVATANU PILLAI (*Tovala*): Sometimes the Dewans are appointed in recognition of their services to the public not as Government servants but as public men, that is to say, sacrificing their own interest for the welfare of the public.

DEPUTY PRESIDENT: Can you not proceed to the other aspects of the case?

MR. M. SIVATANU PILLAI (*Tovala*): In that sense also certain appointments are made in recognition of the past service of an individual to the public in the real sense of service.

Sir, I also fight shy of the question of communal representation. I do not feel able enough to talk here on the representation to be given to the Vellalas, a community to which I belong. To put it frankly, I feel rather shy to take that position When I examine myself to find the reason why I should feel like that, I find, Sir, that it is not after all desirable. It is not at all a desirable thing. Communal representation, if I can qualify it, is a terrible cancer to the body politic. That is why I feel shy to approach the problem in that aspect. But nevertheless the disease also has become inevitable. Of course, everyone would wish he could live without any disease whatsoever. But that is an ideal position. In practical affairs, disease also is born more or less along with the body. When once the disease is found out, it becomes of course necessary to see whether it could not be cured as soon as possible. Taking communal representation in that aspect, I would like to apply what we call the nature cure and not the ordinary cure that we come across in the medical world. When there is some slight rise in temperature, the doctor would immediately hasten to prescribe a diaphoretic mixture—one dram of quinine with two ounces of *aqua*.

DEPUTY PRESIDENT: Does the member take the responsibility for saying that generally doctors in Travancore are in the habit of prescribing medicines without proper care? Unless you say that, I cannot allow you to make that observation?

MR. M. SIVATANU PILLAI (*Tovala*): Yes, Sir. That is what my doctor friends have told me.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know whether we can safely take to the prescription given by the member for fever?

DEPUTY PRESIDENT: That question does not arise.

MR. M. SIVATANU PILLAI (*Tovala*): So also we find that in the Committee's Report a prescription is given. The prescription there is one dram of Brahmins mixed with six drams of Nairs together with five drams of Ezhavas added with half a dram of Vellalas, all put together in four ounces of depressed classes (*Laughter*). This is what the Report suggests. I ask whether the changing conditions of human affairs could be brought thus under mathematical proportions. The Report contains a combination of all branches of knowledge. It contains sociology, mathematics and psychology. Psychology of course is found to be very pertinent there, because I find that, out of the 12 or 13 members on the Committee, nine members have submitted their own dissenting minutes. And it is no wonder that the members found it difficult to agree. The very nature of the problem does not admit of any mathematical application. So what I would prescribe is not any diaphoretic mixture of the nature the Committee has proposed. Leave alone all these artificial cures attempted by the Public Service doctors. Let us in our own despondency appeal to nature. Nature cure I advocate, Sir. My friends on this side of the House may like to know the sort of nature cure that I want to apply. We will have to study the disease and try to allow it to have its own way and if necessary to develop as far as it is capable of development and then it will die a natural death. What is it that is done in the case of small-pox or cholera. We have heard of injections of lymph just to avoid small-pox or to prevent cholera. The same venom or poison is injected previously to avoid the disease. You take the poison from nature and inject it in the body politic. Then the disease will run its course and stop. In other words, I want to allow whoever clamours for a job to have the job for some time. I appeal to the friends that otherwise they are not going to see the end of the problem at all. Unless and until the clamour is satisfied to the full, it is not going to end.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether, when the clamour is out of proportion to the demand, it could be quelled at all?

MR. M. SIVATANU PILLAI (*Tovala*): Of course my friend does not understand what I am intending by it. If you satisfy the clamour to the clamourer's heart's content, then there will be a satiety of feeling and then it will end, and sometimes end sooner because of the floodlight of criticism levelled against the action as officers. Some people

are very mad after dinners and *payasams* and if they are allowed a few more ounces it is seen that they will stoutly refuse it. So, after all, there is only a clamour. When they are allowed appointments in the public service, naturally after some time they will themselves feel it rather irksome to be in office, if it is really going to be public service. So far as I am able to find, here there is no public service at all. If we really intend to solve this problem of real public service, certainly my nature cure will go a great way to removing the defects.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : May I know from the member whether, if the clamour is going to be satisfied, the number of clamourers will not be on the increase?

MR. M. SIVATANU PILLAI (*Tovala*) : For a time it will. Allow it to run its course and then it will be die a natural death. If it is really a public service, they may be subjected to the flood-light of criticism with all its irksomeness and bother with reference to their actions by means of interpellations and questions as done here as to what actuated them to particular actions. Sir, there is also a funny side of the picture that we find. To take a concrete instance. The Nair fights against the Ezhava and a Christian for a job. When these three communities are fighting against each other for a particular job, the Brahmin who sits on the fence merrily watching the fight takes the job because the other three do not really understand what they mean by their fight. The Brahmin representation is 31 per cent. How did this happen? Perhaps it may have been the case in the past. Even today, as Mr. Statham in the course of his answer said, that out of the 16 appointments he gave one to the Brahmin. This happens. He did not care to see how many Brahmins were there already in the department. I am putting the case in its true perspective. Why should we after all fight? Let those who clamour come and take the job. After all what is communal representation, except it be a fed-up atmosphere created by the members of a particular community for their own selfish ends. It is well and good for the members of my family if I am appointed in the public service on a fat salary. I am not going to give a pie of what I get to the members of any other family in the same community. Perhaps it may be argued that it is possession of power which may be utilised to the advantage of a community. I say, Sir, that it is here that I find that the public service is not really a public service. That is why I want to insist upon the attention of the members here that the public service should in the first place be made a really public service; that is to say, no one in the public service should have occasion to feel that but for his community he would not be chosen at all. So long as there is that impression in the mind of the officers, we are not going to have any efficiency in service in its real sense. It is high time, at least to cry halt against that kind of fight, if not to put a stop to it altogether.

DEPUTY PRESIDENT : Mr. Sivatanu Pillai, I want you to help me in understanding the position. Without that I will not be able to guide the deliberations. You said that nature cure should be applied

[Deputy President.]

and there followed a number of very interesting sentences of a figurative and rhetorical kind and you came to a certain conclusion. What that conclusion is with regard to communal representation is an important matter. Will you please say what it is?

MR. M. SIVATANU PILLAI (*Tovala*) : To put it plainly, bereft of all figures of speech, certain representation is made that communal representation should be on a population basis and there is also the representation that communal representation should be in proportion to the number of educated members in particular communities. I should think, Sir, that these are arguments gratuitously brought to bear upon the consideration of the question and to solve the question in a manner most favourable to those persons whomsoever it may concern. In other words, these arguments by themselves have no meaning whatsoever. The cure that I advocate is, if there is a clamour, it behoves, and it will only be graceful, the communities which are well represented in the service of the State to take boldly the step of keeping aloof for a time and allowing the members of the less represented communities to come in. That is all that I advocate, Sir. I suppose it has been put in simple language, bereft of all metaphors and other figures of speech. I only appeal to the members who are well-represented in the service at least in the interest of peace in the land and the progress of our State to be aloof for a time or to make bold to declare that they are not any longer going to interpose themselves between the clamour of the ill-represented communities and the particular posts.

DEPUTY PRESIDENT : Mr. Sivatanu Pillai, are you likely to take a little more time?

MR. M. SIVATANU PILLAI (*Tovala*) : Yes, Sir.

DEPUTY PRESIDENT : The House will adjourn now and resume at 2. P. M.

The House rose for lunch at 1·15 and re-assembled at 2 P. M.

MR. M. SIVATANU PILLAI (*Tovala*) : Sir, I was developing the position that the principle of communal representation in spite of its inherent defects—

DEPUTY PRESIDENT : Before you begin, permit me to say that the time being limited and there also being a large number of members yet to speak I would appeal to the House and to every individual member thereof to consider that aspect of the question also. I say this when Mr. Sivatanu Pillai is talking because Mr. Sivatanu Pillai has been given ample time so that if I tell him that he should utilise his time sparingly he will understand it in the proper sense.

MR. M. SIVATANU PILLAI (*Tovala*) : Sir, the question of communal representation, notwithstanding its inherent defects, has been accepted; the Government also have recognised, as a result of agitation, the principle of communal representation in the matter of recruitment to public service. A stage has been reached when communities have begun to think with unison as to why they are after all denied a proper and legitimate share in the matter of administration of their

State, so much so there is a feeling fast growing in their minds that they after all have nothing to do to get their share and that Government alone is responsible for the present state of affairs in the matter of appointment and that is the feeling given expression to in so much covered language by Mr. Chidambaram Pillai when he referred indirectly to the feeling which has got prevalent and is fast growing with the communities that they may look ahead to form separate provinces of their own in the State on the basis of language as it is obtaining in the neighbouring state of British India. In other words, there is so much of dissatisfaction with the present state of recruitment. So it is up to us to devise ways and means to satisfy that feeling. Well, Sir, after all what is this communal representation and what does it denote? It is only a simple distribution of the State's revenue in the matter of establishment. Well, if this is so, why not the different communities be also allowed to participate in that? It appears to me, Sir, that it is as it were a partition among the members of an undivided *tarawad* where the bigger brothers and sisters and mothers will be allowing the younger brothers and sisters to have the choice of their legitimate share. When once the partition is over the fight for partition ends. After all it is only grace on the part of the bigger brothers to have their younger brothers to have their own way. Then only, as experience in life teaches us, there will be peace.

DEPUTY PRESIDENT : May I take it that your idea is that you will have the experiment tried whatever be its consequence?

MR. M. SIVATANU PILLAI (*Tovala*) : Yes, try the experiment and watch how it develops.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member whether he suggests that the revenue should be redistributed in proportion to the tax realised from different communities?

MR. M. SIVATANU PILLAI (*Tovala*) : Yes, that is also—

DEPUTY PRESIDENT : I do not allow that question. Because so far as I know, taxes are not realised from the various communities. It is only from individual holders and others that taxes are realised. So you put the question in a modified form.

MR. K. R. ELENKATH (*Kalkulam I*) : I would like to know from the member whether he would like the redisbursement of the money got as revenue to individuals according to the proportion in which it is given to the State by the people belonging to particular communities.

MR. M. SIVATANU PILLAI (*Tovala*) : I understand the question clearly. I have absolutely no objection to that kind of remedy also being applied. For that matter, I am prepared even to go further and suggest why not representation in public service be made as per taluks. Even if there is a particular post reserved for a particular community, there are so many applicants from that community. Even in the same community it is possible to find fight between two individuals. For example, if a post has to go to a Vellala, there will be a Vellala

[Mr. M. Sivatanu Pillai.]

candidate from Tovala and a Vellala candidate from Trivandrum and it may be that the Trivandrum candidate gets the appointment. In that case communal representation develops into individual representation. So I would suggest that I have no objection to accept the suggestion of the member to divide appointments as per taluks. If appointments could be made according to Provinces formed on the basis of language, then why not on the basis of geographical division? If such questions are raised then there will be no end of it

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Am I to understand from the member that according to him appointments in the Trivandrum taluk should go to the Trivandrum people?

MR. M. SIVATANU PILLAI (*Tovala*) ; Yes; the Trivandrum people will alone get it. The member need not have put the question and got the answer from me.

So, Sir, I would only appeal to the members who are well represented in public service to allow this privilege to the other communities till peace, satisfaction and contentment are restored and till it is time enough to take stock of the whole situation to see whether after all it has been satisfied. So, in short, Sir, there is no other remedy for this than to see whether the well-represented communities could not stand aloof for some time from this fight. I do not say there should be the so-called efficiency bar. I would only very seriously appeal to them to have the proud privilege and grace to wait till their brethren in the unrepresented communities are satisfied and afterwards to take stock of the situation to see whether the goal has been reached, namely, the disappearance of communal scramble for jobs or job-hunting.

MR. K. MAHOMED (*Alwaye*) : Sir, for the last several years complaints were raised in the press and on the platform and on the floor of this House that certain communities are over-represented in our public service to the great disadvantage of certain other communities. It is because of the insistent demands and protests made by the members of inadequately represented communities that the Public Service Recruitment Committee was appointed to investigate into this matter and to recommend measures to be adopted to remedy this evil. But it is regrettable to note that the work turned out by the Committee is far from satisfactory, in view of the fact that the majority of the members have appended dissenting notes. It is stated in the main report that recruitment to the public service must be made giving full representation to all communities on a population basis. The Committee have also fixed a ratio according to which appointments are to be made for giving adequate representation to the poorly represented or unrepresented communities. If the Government carry out this recommendation, it may, in the long run, remedy this inequality in the public service.

DEPUTY PRESIDENT : According to you the principle to be followed is communal representation irrespective of qualification or any other test. Is that what you suggest?

MR. K. MAHOMED (*Alwaye*): Yes. There is another recommendation in the main report for the reservation of 10 per cent. of the appointments to be made according to efficiency alone. This recommendation is sure to open a door for the evil of inequality in public service to creep in. Practical measures are to be adopted to remove this inequality in the division of the loaves and fishes of office. Unfortunately this recommendation is sure to multiply the existing evil for the removal of which the Committee was appointed. There has been no complaint to the effect that the existing qualification fixed for appointments is not sufficient. Efficiency or competency can be measured only if members of the unrepresented communities are given ample opportunities to serve in the public service of the State. If they are given their due share in the public service of our State, I am quite sure that they will prove themselves as fit and as efficient as the members of the educationally and intellectually advanced communities. This may indirectly pave the way for effecting peace and communal harmony. If efficiency is to be tested by a competitive examination, those communities which are educationally advanced and which are able to put forward a large number of candidates for appointments will surely have an undue advantage over the educationally backward communities in deriving the benefits of such an arrangement. This competitive examination is not necessary so long as the Universities exist to confer degrees upon successful candidates. Moreover literary qualification is not the only factor which would determine efficiency. Character, a clear conscience, broad-mindedness, honesty and a spirit of perseverance are some of the essential qualities for determining efficiency or capability. The Miller Committee Report has fixed a period of 7 years for attaining the anticipated proportion of representation to all communities. It is therefore necessary to fix such a time-limit as was done in Mysore so that the unrepresented and backward communities in education may also get their legitimate share in the public service within a definite period.

The main report also contains a recommendation for the reservation of a certain percentage of posts for women. I do not see any ground why women should be classed separately while they have their own communities. I think it is another device for exploiting the educationally backward communities, especially the Muslims, because it will take a long time for Muslim ladies to become educated and seek Government jobs. There are some other communities also which will suffer on account of the existing conditions. Therefore I urge upon the attention of Government to distribute the total number of posts due to women among the respective communities to which they belong.

As for the appointment of a Public Service Commission, I have to emphasise the point that such a Commission will be absolutely useless

[Mr. K. Mahomed.]

and a mere waste of public money if the unrepresented communities are not properly represented on the personnel of it. If it is not possible, it is desirable to formulate definite and rigid rules to be followed with regard to the representation of communities that are not adequately represented in the public service.

MR. K. R. ELENKATH (*Kalkulam I*): The member was saying something about character and all that. I wish to know whether he can devise any means by which character and the rest of it can be decided.

MR. K. MAHOMED (*Alwaye*): If I were given an opportunity for that, I would have submitted a scheme for the same.

MR. K. SANKARAN (*Kartikapalli I*): Sir, the question of recruitment to public service is really a vexed question and this is not the first occasion when this question is being discussed by a legislative body. It has been discussed on several previous occasions also. The question of recruitment to the public service has been the subject of agitation both in the press and on the platform for a long time. Some 50 years ago the public service of the State was the monopoly of the Tamil Brahmins. At that time the other communities of the State were not sufficiently advanced in the matter of education and they could not produce the required number of qualified candidates.

DEPUTY PRESIDENT: Does the Report make any allusion to that fact? Please do not expatiate upon that point.

MR. K. SANKARAN (*Kartikapalli I*): What I was saying was that at that time the Naiars and other communities could not get adequate opportunity to enter into the public service. The well-known Malayali Memorial came into effect to press upon the attention of Government that the Brahmins alone predominated in the public service and that such a state of affairs should be put an end to and all the communities of the State should be given equal opportunities to serve the country.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether the Malayali Memorial was intended to check the inrush of outsiders into Travancore service or to get the monopoly of one community over the others?

DEPUTY PRESIDENT: We are now not discussing the Malayali Memorial. So, that question need not be answered. It is for that reason that I warned Mr. Sankaran against expatiating upon that point. Please just confine your arguments to the Report.

MR. K. SANKARAN (*Kartikapalli I*): I am not going to expatiate upon that. Anyhow the effect of the Malayali Memorial was that the Naiars and other educationally advanced communities were given ample opportunities for entering the public service. The principle that members of all the communities should be given equal opportuni-

ties in the public service was accepted by Government. In 1907 Government issued a circular to all heads of departments that, as far as possible, without interfering with efficiency, chances should be given to all communities to serve in the public service. But curiously enough the intention of Government as evidenced by this circular was not given effect to by the officers concerned. The non-caste Hindus and the non-Hindu communities of the State began to feel that they were not given ample opportunities to enter the public service and this resulted in the agitation which was known as the civic rights agitation which necessitated the Government to separate the Devaswom Department from the Revenue Department so that the objection as to the management of the Devaswoms by non-caste Hindus and non-Hindus may not stand in the way of qualified hands of these communities entering the public service. That was in a way intended to give equal opportunities, or to remove the obstacle that stood in the way of giving appointments to members of all communities in the State. Even then the problem was not solved to the best satisfaction of all parties concerned. Anyhow, as matters stand at present, there is a lot of trouble and unrest among the unrepresented communities. That fact, I believe, cannot be denied. Those communities thought that it was their right and privilege to serve the country and with that object in view they began to agitate and the agitation has now reached such an undersirable extent that the present situation in the country is in no way enviable. Every community is looking upon the other community with hatred and suspicion. Communal hatred has become the order of the day and Government have fully realised this unsatisfactory state of affairs. Government must seriously take up this question and solve it to the best satisfaction of all the communities so that the prosperity and welfare of the country may not be hampered. That is where we are now. There is no use trying to throw the blame, as some members did, on some Government officials or saying that this communal struggle was brought about at the instigation of any one or other of Government officers. The various communities feel that they should be given equal chances in public service and they claim it as a matter of right. There is no use trying to throw the blame upon somebody else. We must face the situation as it is. It is as a result of the Government realising this fact that they appointed the Public Service Recruitment Committee to frame some definite rules for making appointments. In this connection I must say that the Committee in their Report have lost sight of the main idea which prompted the Government to appoint the Committee. On going through the report of the Committee, I find that it has bestowed more attention, as it were, on the question of devising plans by which the efficiency of the service could be improved as if now the efficiency is going down or has already gone down to a considerable extent. The object for which the Committee was appointed was that without impairing efficiency some definite policy may be devised by which all communities may be given equal chances in public service. Anyhow the Chairman as well as many

[Mr. K. Sankaran.]

other members of the Committee entered dissenting notes. It may be asked whether the Chairman of the Committee has entered any dissenting minute. My view is that the foot-notes given by the Chairman against the observations of some of the members will go to show that he had a definite plan and that he has tried to incorporate it throughout the Report.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member, with regard to the interpretation as stated by him as regards the dissenting minute of the Chairman, whether they were not corrections to the statements of facts?

MR. K. SANKARAN (*Kartikapalli I*): It may be said to be corrections, but my own view is that in the matter of dissenting minutes.—

DEPUTY PRESIDENT: Apart from the philosophy of dissenting minute, you proceed to argue your case.

MR. K. SANKARAN (*Kartikapalli I*): Coming to the question, we find that the representatives of those communities who were unrepresented or poorly represented in public service recommended the acceptance of the principle of communal representation and said that appointments in public service be made on that principle. The members of those communities who were over-represented or who were the monopolisers in public service pleaded that efficiency should be the sole criterion and that appointments should be made only on the basis of competitive examinations. My own impression is that members of those communities who are not properly represented advance arguments in support of their contention while members of those communities who are over-represented advance such arguments as would justify their monopoly in public service. Anyhow Government should study the whole situation and come to a definite and impartial conclusion.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I wish to know how the member views the opinions expressed by European members in the Committee.

MR. K. SANKARAN (*Kartikapalli I*): My own view is that they were absolutely in the dark as to the conditions prevailing in this country.

Coming to the question of efficiency of which so much has been said, what after all is efficiency? What I say is that it is not merely the capacity to pass an examination. It is not a question of literary brilliance or the passing of an examination. Several other things are to be considered in the matter of efficiency. I will just quote a passage from the Report of the Miller Committee in Mysore.

> "Efficiency, however, is not to be measured solely or even mainly by academic qualifications and it will not be denied that there are many important branches of the administration in which other qualities such as sympathy, honesty of purpose, energy and common sense go as far to make an efficient officer as literary superiority."

DEPUTY PRESIDENT : So literary superiority is not excluded ?

MR K. SANKARAN (*Kartikapalli I*) : What I say is that that alone should not be the consideration in determining the efficiency. Several other things are to be taken into account. Now it is admitted by Government that they have accepted the principle of communal representation. When the communities that are not properly represented in the public service put forward their claims, so much stress is laid upon the question of efficiency as if those communities are inefficient. There is absolutely, as a matter of fact, no inefficiency in them.

DEPUTY PRESIDENT : I wish to know from the member whether it is said in the Report that some of these communities to which the member refers are inefficient.

MR. K. SANKARAN (*Kartikapalli I*) : No. I was not referring to the Report. I was referring to the observations of some of the members in this House. It would seem from their arguments that there is some sort of presumption that those communities that are not properly represented are inefficient.

MR. K. R. ELENKATH (*Kalkulam I*) : If the member is of that opinion, why should he feel shy of competitive examinations ?

MR. K. SANKARAN (*Kartikapalli I*) ; I was just coming to that question. I will just refer to another passage in the report and then come to the question of competitive examination.

The following are the observations of the Miller Committee.

> "Under the present system of Government, the officers of Government in the higher grades of the service have necessarily much influence in shaping the policy of the administration and the efficiency of the services viewed as machines for securing the even and uniform progress of the State is likely to be increased by the presence in their ranks of officers of different communities. And viewed from the point of the view of the services themselves, it is likely that their efficiency will be advanced by promoting a greater feeling of equality among officers and by relieving those who are in the minority, of the feeling that their interests are likely to suffer at the hands of the majority."

Mr. Ratnaswami, in his presidential address delivered at the Catholic Conference, said as follows ;

> "Nothing promotes the efficiency of an administrative department so much as its being staffed with members of different communities competing with each other and acting in check upon each other, for the better administration of the department. And nothing attaches a community more to the State as its being given a due share in the administration."

From these two passages that I read before the House, I believe it is clear that efficiency will only be increased as a matter of fact, by recognising the principle of communal representation.

As regards competitive examination, what I have to say is this. The efficiency of a candidate cannot be determined by the University qualification or any other recognised academic qualification. Usually the competitive examination is to test capacity for precis-writing, translation and composition. It cannot be a proper test to determine an individual's character. Questions of character and morals do not

[Mr. K. Sankaran.]

come with-in the scope of competitive examination. In the matter of public service, they are more important than literary superiority. It is more important that a man should possess a good character and good morals and that he should be honest.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Will not a character certificate be necessary for one who has to appear in a competitive examination?

MR. K. SANKARAN (*Kartikapalli I*): Even the worst people can get a very good conduct certificate from a man in position. That is the order of the day.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): How is character then to be measured? Is there no instrument for doing that?

MR. K. SANKARAN (*Kartikapalli I*): I am coming to that.

If a man possesses the qualification necessary for entry into the public service, *viz*., the qualification prescribed by Government on that behalf, he must be appointed on the principle of communal rotation. As opportunities are given to him, the Government will be in a position to say whether he is honest and of good character and whether he could serve the country efficiently. If at any moment he is found to be inefficient, that moment his services may be dispensed with. That is the only way by which the efficiency and the character of a person can be found out.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether Government have fixed any qualification other than the literary qualification generally for entry in the public service?

MR. K. SANKARAN (*Kartikapalli I*): In certain departments, technical qualifications are necessary and in several others, both the literary qualifications and technical qualifications combined. My point is this. When accepting communal representation and the principle of rotation candidates are available from communities who possess the necessary and prescribed qualifications, then they may be appointed and they may be given a chance to serve the State and show their merit. The Government or the superior officers under the Government will be able to watch whether a particular candidate is serving the country efficiently or not and if at any moment he is found inefficient, he may be sent out. All that I say is that, in the initial stages, unrepresented communities should get an opportunity to enter service and to come up. I do not say that an inefficient man should be retained in service, simply because he belongs to an unrepresented community. Another point is that there has been no complaint hitherto that the officers in the different grades of our service are inefficient. There is the testimony given to our officers by eminent statesmen who have visited this country. In our State, the officers are very efficient. Let us examine how such efficient men came in to the services. There was no competitive examination. Those who possessed minimum qualifications

were entertained in the Department. Graduates of average capacity were first taken as clerks and by sheer service and seniority they have risen to occupy high posts such as Secretaries, Dewan Peishkars and Heads of Departments.

MR. S J. NAIR (*Nedumangad*) : May I know whether these big gentlemen have expressed the view that our service is of a superior sort and have they advocated the principle of communal representation ?

DEPUTY PRESIDENT : That has little to do with the question at issue.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether it is incumbent on Government to choose people with the minimum qualifications ?

MR. K. SANKARAN (*Kartikapalli I*) : No. Neither is it incumbent on Government to choose men with the best qualifications. Everything is left to the individual who has the power to choose. It is not a question of efficiency or brilliancy that counts. A lot of other things have to be satisfied. It is all left to the authority appointing him.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Under this arrangement, may I know from the member whether there has been any loss of efficiency ?

MR. K. SANKARAN (*Kartikapalli I*) : There has been no loss of efficiency. The Committee advocates the principle of communal representation and communal rotation and also suggests methods to select the best from each community. This is by far a better arrangement than the existing arrangement.

MR POTTAYIL S. KRISHNA PANICKAR (*Shertala II*) : Is it the member's view that recruitment must be made on minimum qualification or some other qualification ?

MR. K. SANKARAN (*Kartikapalli I*) : It must be on the principle of communal representation. Government should completely accept this suggestion of the Committee.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*) : Is there no time-limit for speeches ?

DEPUTY PRESIDENT : That is really a very difficult point at this stage of the discussion. As I pointed out some time ago, we have no sufficient time to enable all the members to talk at such length as they would desire. In a question like this, opinions cannot be shut out for lack of time. Therefore rather than allowing individual members to talk at so much length as they like, it would be better to have a kind of understanding that so much time would be normally granted. I am prepared to defer to the opinion of the House ; and if the House is of opinion that there shall be a time-limit, I am prepared to have one. For the present, may I take it that seven minutes will be sufficient for the succeeding speakers. Have I your leave ? I presume I have your leave.

MR. K. SANKARAN (*Kartikapalli I*): Recruitment on the basis of communal representation is the main question here. I have just one more observation to make. The views of the different communities will be more advantageous rather than having the views of members of the same community. All the Ezhava members of this House do not wish to speak. Yesterday one member from our community has spoken. I have only to say a word more on the subject.

Recruitment on communal representation is not foreign to our country. That principle has been accepted even by British Indian Governments. That is adopted even for the Indian Civil Service examinations. Even though recruitment to I. C. S. is conducted on the basis of competitive examinations, the Imperial Government has reserved to themselves a certain share of the appointments for unrepresented communities to minimise the inequalities that might arise as a result of competitive examination. Coming to Madras, that Government has accepted the principle of communal representation and has formulated a definite scheme by which appointments are given. In Mysore also, the same thing exists. In Mysore and Madras, the recommendations based on communal representation go far ahead of the recommendations made by our Committee. There the principle of communal representation has been accepted even in the matter of promotions to the highest grades of service. In Travancore, the Committee has recommended that principle only for initial appointments and they say that it should not be applied in the matter of promotions.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether those Governments have accepted the principle of communal representation on population basis?

MR. K. SANKARAN (*Kartikapalli I*): Some members were saying that, in Madras and Mysore, appointments are not allotted on the basis of population. It is only to my advantage. The communities who are said to be over-represented in the services there have been given a particular share which is less than they should get on the basis of population. Those who are unrepresented are given a share according to their population basis with an additional share as weightage. Here no weightage is allowed.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Is the member aware that in Madras promotions are not given on a population basis?

MR. K. SANKARAN (*Kartikapalli I*): I do not think it is so.

MR. K. R. ELENKATH (*Kalkulam I*): May I know how much percentage goes to Brahmins?

MR. K. SANKARAN (*Kartikapalli I*): Brahmins being a minority community are given a percentage slightly higher than would go to them on population basis.

At any rate our Government have accepted the principle of communal representation even long ago. They issued circulars to that

effect. Those circulars were not properly regarded by Heads of Departments and that fact has been admitted by Government. In spite of warnings and repeated circulars, the Heads of Departments did not carry them into effect. The very institution of the Committee is the outcome of the disobedience of Government orders by various Heads of Departments.

Regarding the entertainment of women in the public service, my point is that there is no need for allotting any separate share to them. If appointments go on a population basis, very nearly 50 per cent. should go to them. According to the rotation list of the Committee six places out of sixty-four have been allotted to the women of the country. I think the women of each community may be left to take their share from places allotted to their community. Women belonging to unrepresented communities would also be benefited if this method is adopted.

So much was said about the question of entertainment of acting hands. Whether acting claims should be considered by Government or not is a different matter. But a definite formula must be found out for this purpose.

Then so much is said about the question of acting hands. Whether the question of acting claims must be considered by Government in the present formula or not is the question My suggestion is that even the Committee's proposal is not satisfactory. Even according to the Committee's statistics, vacancies in the superior service are likely to be about 200 per year. But there are hundreds of acting hands waiting in the several Departments. How to justify the existence of so many acting hands? So much favouritism has been shown in these acting appointments because it was thought that some sort of communal rotation would be fixed very soon. My suggestion is that, since this agitation had been going on for some time in the past before any solution was arrived at, there must have been a deliberate attempt on the part of the officials to create acting claims. Hence these acting claims should not be considered at all. And even according to the Committee's Report, the existing inequality would never be minimised or diminished, that is, even according to the rotation suggested by the Committee the communities already over-represented get a share more than what they would get on population basis.

SRIMATI T. NARAYANI AMMA (*Nominated*): In supporting the motion, I wish to make only a few observations. The question of recruitment to the public service has always been a vexed problem in Travancore. And it was not a day too early for the Government to have appointed a Committee to consider and report on the various aspects of this important question. Though the members of the Committee have not been able to agree in regard to all the points considered, yet it is a source of gratification to find that every one of them has bestowed anxious and earnest thought on this problem of problems. I wish also in this connection to thank the Government of His Highness the Maharaja for giving members of this House an opportunity for discussing this Report.

[Srimati T. Narayani Amma.]

Coming to the Report itself, Sir, I propose to refer to only one or two aspects of the Committee's recommendations, I mean, those relating to the recruitment of women in the public service. Much as I appreciate the spirit underlying the resolution moved by Miss Watts and the opinion expressed by some of the other members of the Committee, I am sorry that I cannot go all the way with them in the view that communal principle should not be recognised in the matter of appointments of women in the public service. I grant that there is no communal spirit among women. But taking things as they are, I cannot see how, without some sort of communal representation for women, the claims of qualified candidates can be satisfactorily met. I am not in a position now to offer any constructive scheme of communal representation for women. That is a matter which I leave to the Government. But I do say that some arrangement is necessary to see that no grievance is caused to the qualified applicants from among women of some of the unrepresented and minor communities.

As regards the proportion of women to be appointed in the public service, I am sorry I cannot see eye to eye with the learned authors of the Report. The Committee says that the 3 out of 32 places allowed for women is in addition to what they will get if they compete with men in any competitive examinations. Sir, I need hardly point out that, so far as competition with men in any competitive examination is concerned, there is not much chance for women to get any substantial number of appointments. In effect, therefore, women will have to be satisfied with the proportion of three out of thirty-two. The fixing of such a proportion, it seems to me, is not doing full justice to the womanhood of Travancore. I am sorry that even Miss Janaki Ammal was able to suggest only an addition of one to the meagre two suggested by Miss Watts. In an enlightened and progressive State like Travancore, where women are coming to the fore in every walk of life, and where the number of educated women is rapidly on the increase, it is a pity that our learned sisters and brothers of the Committee could not make a more liberal recommendation.

With regard to the question of the recruitment of married women in public service, I am glad to find that the Committee, with the exception of three members thereof, have come to the conclusion that married women should not be disqualified in entering or continuing in service. I am sure that even the three dissentients will find that they are mistaken in their fears. The view put forward by one of the members is that efficiency will suffer if married women are appointed in Government service, as they cannot discharge their duties consistently with their domestic obligations. Time does not permit me, Sir, to expose the fallacy of this argument, and I do not attempt to do so. I wish only to express the hope that the suggestion made in the Report that the view put forward by Mr. MacAlpine may be tried in the

colleges in the case of future recruitments, will not be accepted by the Government. To make such an exception would, in my view, be going against the principle conceded by the Committee. I fully trust also that the resolution, moved by Miss Janaki Ammal, to the effect that sex should not be a disqualification in entering service in any department will also be borne in mind by the Government.

MR. K. R. ELENKATH (*Kalkulam I*): May I know—

DEPUTY PRESIDENT: I may say this. This question of appointing women and the conditions which would hedge round these appointments need not occupy much of the time of the House. I have got in my hand the proceedings of the Government of His Highness the Maha Raja of Travancore appointing the Committee. It is the principle of communal rotation which is adverted to in very clear language in that proceedings. Incidentally the question of appointment of women was allowed to be considered. I am just saying this for the information of other members.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether it is advisable to recruit women in military service?

DEPUTY PRESIDENT: I may rule that it is irrelevant. I do not think that it will be serving any useful purpose for the aspect with which she is dealing.

MR. K. R. ELENKATH (*Kalkulam I*): She was dealing with that.

DEPUTY PRESIDENT: It was therefore that I raised the question.

SRIMATI T. NARAYANI AMMA (*Nominated*): The amendment to that resolution moved by another member, the genuineness of whose motive I do not question, was hardly necessary because, as was rightly observed by Miss Janaki Ammal, it should be left to the women to decide which department they should enter. Women who seek entry in public service are generally educated and enlightened, and I hope our well-meaning brothers would concede to them sufficient wisdom and discretion not to apply for any executive posts in the Police, Military or Excise Department. May I also venture to assure all concerned that women are out not for any militant campaign, not to secure every appointment in public service, but that they are only asking for what is legitimately due to them consistently with their education and enlightenment.

DEPUTY PRESIDENT: I am obliged to call the attention of the House once more to this aspect of the question. The Government have allowed the House an opportunity of considering the Report, but it is only the valid portions of the Report, I mean valid under the law, that have to be considered. If the Committee traverse out of its province and record certain findings, I am not sure if the House will be justified in taking very much time to discuss those very same questions. In view of the question whether women's appointments would be considered, I say it need not be, because of the nature of the proceedings. That is what I want to say. It would be irrelevant.

MR. K. R. ELENKATH (*Kalkulam I*): May I know, Sir, whether the Committee has not recommended communal representation to women as a point distinctly raised?

DEPUTY PRESIDENT: When the Government have given a chance to this House to consider the Report, I take it that the Report has to be considered in the light of proceedings appointing the Committee, which has been empowered to conduct the enquiry into this business, so that I must rule that the question of the appointment of women has not been raised in the proceedings. Therefore, I say that much time need not be spent on it. A passing reference may be made. That is what I understand, Srimati Narayani Amma has been doing and so I allowed it.

SRIMATI T. NARAYANI AMMA (*Nominated*): I do not wish, Sir, to touch on any other aspect of the Committee's Report. I hope the final decision of Government on the Report will see the light of day at an early date.

MR. T. P VELAYUDHAN PILLAI (*Tiruvalla III*): ഈ കമ്മിററിയുടെ രൂപവൽക്കരണം പൊതുജനങ്ങളുടേയൊ പൊതുജനപ്രതിനിധികളുടേയൊ അംഗീകാരത്തോടുകൂടി ഉണ്ടായിട്ടുള്ളതല്ലെന്നും കമ്മിററിയിലെ മിക്ക അംഗങ്ങളുടേയും വ്യക്തിപരമായ സമുദായപ്രതിപത്തിയുടെ പാരമ്യത്താൽ പബ്ളിക്ക് സർവീസിന്റെ സുയശസ്സിനും കാര്യക്ഷമതക്കും പര്യാപ്തവും ആദരണീയവുമായ ഒരു റിപ്പോർട്ട സമർപ്പിക്കുന്നതിനു സാധിക്കുന്നില്ലെന്നും വ്യസനപൂർവം പ്രസ്താവിച്ചുകൊള്ളട്ടെ. ഈ കമ്മിററിയിലെ ചില അംഗങ്ങളുടെ ഗർഹണീയമായ സമുദായ മനഃസ്ഥിതി റിപ്പോർട്ട് തന്നെ പ്രസ്പഷ്ടമാക്കുന്നുണ്ട്. റിപ്പോർട്ടിൽ ചില ഉദ്യോഗസ്ഥാംഗങ്ങൾ നഗ്നമായി പ്രകാശിപ്പിച്ചിട്ടുള്ള സമുദായമനഃസ്ഥിതിയിൽ നിന്നുതന്നെ പബ്ളിക്ക് സർവീസിൽ സമുദായപ്രാതിനിധ്യതത്വം സ്വീകരിക്കുന്നപക്ഷം ഉണ്ടാകാവുന്ന അനാശാസ്യഫലങ്ങൾ എന്തായിരിക്കുമെന്നു മുൻകൂട്ടി നിഷ്പ്രയാസം നിർണ്ണയിക്കാവുന്നതാണ്.

വാദവിഷയമായ റിപ്പോർട്ട കമ്മിററിയുടെ യോഗനടപടിയെ വിശദീകരിക്കുന്ന മിനിട്സ എന്നല്ലാതെ അതു് നിയമാനുസരണം ഒരു റിപ്പോർട്ട എന്നു പരിഗണിക്കത്തക്കതല്ല. സമഷ്ടിയായി പ്രതിപാദിക്കുന്നപക്ഷം കമ്മിററി മെമ്പറന്മാരുടെ വ്യക്തിപരമായ അഭിപ്രായപ്രകടനമാണ് ഇതിൽ പ്രധാനമായി അടങ്ങിയിട്ടുള്ളതു്. ഇപ്രകാരമുള്ള ഒരു റിപ്പോർട്ട സമർപ്പിക്കുന്നതിനു കമ്മിററിക്കാർ രാജ്യം മുഴുവൻ സഞ്ചരിച്ചു പൊതുമുതൽ ദുർവ്വിനിയോഗം ചെയ്യേണ്ട ആവശ്യം ഒന്നുകൊണ്ടും ഉണ്ടായിരുന്നില്ല. ശേഖരിച്ചിട്ടുള്ള തെളിവുകളുടെ സാധുത്വത്തെ സംബന്ധിച്ചുള്ള ശരിയായ വിമർശനവും തദനുസരണമായ അഭിപ്രായരൂപീകരണവും കമ്മിററിക്കാർ റിപ്പോർട്ടിൽ രേഖപ്പെടുത്തി കാണുന്നില്ല. ഈ റിപ്പോർട്ട'ലെ ചില പ്രസ്താവനകൾ യഥാർത്ഥമായിട്ടുള്ളതല്ലെന്നു റിപ്പോർ

ട്ടിന്റെ പല വശങ്ങളിലും പ്രസിഡന്റ കൊടുത്തിട്ടുള്ള സൂചനകൾകൊണ്ട് വ്യക്തമാകുന്നു. തന്നിമിത്തം റിപ്പോർട്ടിൽ അടങ്ങിയിട്ടുള്ള സംഗതികളുടെ യാഥാർത്ഥ്യവും സാധുത്വവും സംശയാസ്പദമാകുന്നുണ്ട്. മുൻപ്രസ്താവിച്ച കാരണങ്ങളാൽ ഈ റിപ്പോർട്ടിന്റെ സാരാംശത്തിൽ പ്രവേശിക്കാതെതന്നെ അത് നിഷേധിക്കത്തക്കതാണ്.

കമ്മിററിയിലെ ഓരോ അംഗങ്ങളും അവരവക്ക് യഥേഷ്ടം തോന്നിയ പ്രമേയങ്ങൾ ഹാജരാക്കുകയും തത്സംബന്ധമായ അഭിപ്രായസ്ഥാപനയ്ക്കു ശ്രമിക്കുകയും ചെയ്തിട്ടുള്ളതുകൊണ്ട് അപ്രകാരമുള്ള പ്രമേയങ്ങളിൽ ഉൾപ്പെടാതിരുന്നിട്ടുള്ള സംഗതികൾ എത്രതന്നെ ഗൌരവതരങ്ങളായിരുന്നാലും അവ കമ്മിററിയുടെ ആലോചനയ്ക്കു വിഷയമായിട്ടില്ലെന്നു കാണുന്നു. ഉദാഹരണമായി പറയുന്നപക്ഷം റിപ്പോർട്ടിന്റെ ഒന്നാം വശത്തു ചേർത്തിട്ടുള്ള ജാതിവിഭാഗവർണ്ണനയിൽ "അധഃകൃതഹിന്ദുക്കൾ" എന്നൊരു വിഭാഗം ഉൾപ്പെടുത്തിയിട്ടുണ്ട്. എന്നാൽ ഉദ്ദേശം ആററ ലക്ഷത്തിൽപരം വരുന്ന അധഃകൃതക്രിസ്ത്യാനികളുടെ അവകാശസംരക്ഷണത്തിനു പര്യാപ്തമായ ഒരു പ്രമേയം കമ്മിററിയോഗത്തിൽ ഹാജരാക്കുകയൊ തത്സംബന്ധമായി ഒരു തീർച്ച കല്പിക്കുന്നതിനു കമ്മററി ശ്രമിക്കുകയൊ ചെയ്തിട്ടില്ല. ഇതിന്റെ ഉദ്ദേശശുദ്ധി സംശയാസ്പദമായിട്ടുള്ളതാണ്.

സമുദായപ്രാതിനിധ്യതത്വം സ്വീകരിക്കുന്നപക്ഷം ആയതു് പബ്ളിക്ക് സർവീസിന്റെ കാര്യക്ഷമതക്ക് ഹാനിയെ ഉളവാക്കുന്നതാണ്. ഇപ്പോൾ തന്നെ പബ്ളിക്ക് സർവീസ് അപരിഹാര്യമായ നിലയിൽ ദുഷിച്ചുപോയിട്ടുണ്ടെന്നു തുറന്നു പ്രസ്താവിക്കാതിരിക്കാൻ നിവൃത്തിയില്ല. ഇന്നലെ ദിവസം അടിയന്തിരപ്രമേയത്തെ സംബന്ധിച്ചുണ്ടായ വാദപ്രതിവാദവേളയിൽ റബ്ബർ തോട്ടങ്ങളുടെ വിസ്തീർണ്ണം കിപ്തമായി നിർണ്ണയിക്കത്തക്കവണ്ണം ഒരു കണക്ക് തയാറാക്കുന്നതിനു വേണ്ട സിൽബന്തികളെ നിയോഗിച്ചാൽ ശരിയായ കണക്കു കിട്ടുന്നതിനു എളുപ്പമില്ലെന്നു ചീഫ് സിക്രിട്ടറി പ്രസ്താവിച്ചതിൽ നിന്നും പബ്ളിക്ക്സർവീസിന്റെ കാര്യക്ഷമത എത്രയോ അധഃപതിച്ചുപോയി എന്നു വിശ്വസിക്കാവുന്നതാണ്.

MR. K. SANKARAN (*Kartikapalli I*) : സമുദായപ്രാതിനിധ്യം അംഗീകരിക്കാതിരുന്നാൽ പബ്ളിക്ക് സർവീസ് പരിശുദ്ധമാകുമെന്നാണോ മെമ്പറിന്റെ അഭിപ്രായം?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : സമുദായപ്രാതിനിധ്യം അംഗീകരിക്കാതിരുന്നാൽ അതുത്തോളവും പരിശുദ്ധമായിരിക്കുന്നു

[Mr. T. P. Velayudhan Pillai.]

താണ്. സമുദായപ്രാതിനിധ്യം അംഗീകരിക്കുന്നതുകൊണ്ട് ഒരു പ്രത്യേക സമുദായത്തിനുമാത്രം ഉദ്യോഗം ലഭിക്കണമെന്ന് കരുതീട്ടല്ല ഞാൻ ഇങ്ങിനെ പറയുന്നതു്.

ഇനിയും സമുദായപ്രാതിനിധ്യതത്വം ഉദ്യോഗദാനവിഷയത്തിൽ മാനദണ്ഡമായി കരുതുന്നപക്ഷം സൂപ്പീരിയർ സർവീസിനെ സംബന്ധിച്ചിടത്തോളമെങ്കിലും ജനസംഖ്യയെ ആസ്പദമാക്കാതെ ഓരോ സമുദായത്തിലും യഥാക്രമമുള്ള പരീക്ഷാവിജയികളുടെ സംഖ്യയെ പരിഗണിച്ച് മാത്രം നിയമനം നടത്തുവാനുള്ളതാകുന്നു.

MR. K. SANKARAN (*Kartikapalli I*): അവർണ്ണർക്ക് വളരെക്കാലത്തേക്ക് വിദ്യാഭ്യാസസൗകര്യം ഉണ്ടായിരുന്നില്ല എന്നറിയാമോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അവർണ്ണർ എന്നൊരു സമുദായക്കാരെ എനിക്കറിഞ്ഞുകൂടാ. പല സമുദായക്കാരും അവർണ്ണരിൽ ഉൾപ്പെടും.

MR. K. SANKARAN (*Kartikapalli I*) ഈഴവർ, പുലയർ മുതലായവരെ പുറത്ത് നിർത്തിയിരുന്നതായി അറിയാമോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): എന്നു് എനിക്കഭിപ്രായമില്ല. ക്രിസ്ത്യാനികൾ, ഈഴവർ, ബ്രാഹ്മണർ, നായന്മാർ എന്നീ സമുദായക്കാരിൽ ധാരാളം വിദ്യാഭ്യാസം സിദ്ധിച്ചിട്ടുള്ള അംഗങ്ങൾ ഉള്ളതുകൊണ്ട് അവരുടെ കാര്യത്തിൽ സമുദായപ്രാതിനിധ്യ തത്വം സ്വീകാര്യമല്ലാത്തതും മററു സമുദായക്കാരുടെ കാര്യം ഗവണ്മെൻറു് പ്രത്യേകം ആലോചനാവിഷയമാക്കേണ്ടതു് അത്യന്താപേക്ഷിതവും ആകുന്നു.

MR. K. SANKARAN (*Kartikapalli I*) : ഈഴവർക്കും ക്രിസ്ത്യാനികൾക്കും മററുള്ളവരെപ്പോലെയുള്ള വിദ്യാഭ്യാസ സൗകര്യം, കൊടുത്തിരുന്നോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): വിദ്യാഭ്യാസവിഷയത്തിൽ ഒരുപോലെയുള്ള ആനുകൂല്യം ഉണ്ടായിരുന്നില്ല.

പബ്ലിക്ക് സർവീസ് അത്ര പരിപൂർണ്ണമായിരിക്കുന്നില്ല എന്നുള്ള എന്റെ വാദത്തെ സാധൂകരിക്കുന്നതിനുവേണ്ടി മാത്രമാണ് ഞാൻ അതിനെപ്പററി ഇവിടെ പ്രസ്താവിച്ചതു്.

MR. K. R. ELENKATH (*Kalkulam I*): ഏതെങ്കിലും മെമ്പർ തിരുവിതാംകൂറിലെ പബ്ലിക്ക് സർവീസ് പരിപൂർണ്ണമായിരിക്കുന്നു എന്ന് പറഞ്ഞിട്ടുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : റബ്ബർ എസ്റ്റേററുകളുടെ വിസ്തീർണ്ണം നിശ്ചയിച്ച് ശരിയായ ഒരു കണക്ക് തയ്യാറാക്കിക്കൊ

ടുത്തു ഗവണ്മെൻറിനെ സഹായിക്കുന്നതിനുപോലും റവന്യൂഡിപ്പാർട്ടുമെൻറു സിൽബന്ധികളെക്കൊണ്ടു പ്രയാസമാണെന്നു പറയുന്ന സ്ഥിതിക്ക് ഇവിടത്തെ പബ്ളിക്ക് സർവ്വീസിലെ കാര്യക്ഷമതക്ക് എത്രത്തോളം ഹാനി തട്ടിയിട്ടുണ്ടെന്ന് എല്ലാവർക്കും ഊഹിക്കാവുന്നതാണ്.

സമുദായപ്രാതിനിധ്യതത്വം അംഗീകരിക്കുന്നു എങ്കിൽ മറ്റൊരു ദോഷം കൂടി വന്നുചേരുന്നതാണ്. സമുദായത്തിന്റെ നാമധേയത്തിൽ പബ്ളിക്ക് സർവ്വീസിൽ പ്രവേശനം ലഭിക്കുന്നതിനു സംഗതിയാകുന്ന ഒരുദ്യോഗസ്ഥൻ സ്വസമുദായപക്ഷപാതിത്വം നിമിത്തം സ്വാഭാവികമായി പബ്ളിക്ക് സർവ്വീസിന്റെ സൽകീർത്തിയെ മലിനപ്പെടുത്തുമെന്നുള്ളതിന് പക്ഷാന്തരമില്ല. വ്യക്തിപരമായ ബുദ്ധിശക്തിയും സാമർത്ഥ്യവും സ്വഭാവഗുണവും പരീക്ഷായോഗ്യതയും കൊണ്ടല്ലാതെ ഒരു പ്രത്യേകസമുദായത്തിലുണ്ടായ ജനനം ഉദ്യോഗലബ്ധിക്കുള്ള അവകാശമായി ഗണിക്കുന്നതു് ആക്ഷേപാർഹമായ നയമാണ്.

MR. K. SANKARAN (*Kartikapalli I*) : ഈ രാജ്യത്തു് ഉദ്യോഗം ലഭിച്ചിട്ടുള്ള എല്ലാ ഉദ്യോഗസ്ഥന്മാരും അവരവരുടെ ജാതിക്കാരെ സഹായിക്കുകയും മററു ജാതിക്കാരെ ഉപദ്രവിക്കുകയും ചെയ്യുന്നുണ്ടോ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : സമുദായ മനസ്ഥിതി സ്വാഭാവികമായി വളർത്തിക്കൊണ്ടുവരുന്ന ഉദ്യോഗസ്ഥന്മാർ അങ്ങിനെ ചെയ്യുന്നുണ്ടെന്നാണ് എന്റെ അഭിപ്രായം. സമുദായപ്രാതിനിധ്യം അനുവദിക്കാതിരുന്നിട്ടും ഉദ്യോഗസ്ഥമെമ്പറന്മാരുടെ സാമുദായികമനസ്ഥിതി നിമിത്തം പബ്ളിക്ക് സർവ്വീസ ഇത്രത്തോളം ദുഷിച്ചുപോയിരിക്കുന്നു.

MR. M. SIVATANU PILLAI (*Tovala*) : May I know why the member considers that the number of educated men in a community should form the basis for calculating its share of representation in public service ?

DEPUTY PRESIDENT: That amounts to an argument between two members. Let Mr. Velayudhan Pillai finish his answer; and then Mr. Sankaran can put more questions if he likes. You have got only a minute more, Mr. Velayudhan Pillai.

MR. K. C. ABRAHAM (*Kottayam II*) : വിദ്യാഭ്യാസവിഷയത്തിൽ ഒരുപോലെയുള്ള സൌകര്യം അനുവദിക്കാതിരുന്നെങ്കിൽ അതു് സമുദായപ്രാതിനിധ്യംകൊണ്ടു് തീരുമോ ?

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*) : ഇല്ല. എന്നാൽ അധഃകൃതരുടെ കാര്യത്തിൽ ചില വിശേഷാൽ സൌജന്യങ്ങൾ കൂടി നിർദ്ദേശിക്കേണ്ടതു് അത്യന്താപേക്ഷിതമാണ്. ഈ കൂട്ടത്തിൽ അധഃകൃതക്രിസ്ത്യാനികളെ കൂടി ഒരു പ്രത്യേക ജാതിവിഭാഗമായി സ്വീകരിച്ചു്

[Mr. T. P. Velayudhan Pillai.]

ക്രിസ്ത്യാനികൾക്ക് മൊത്തം വിഭജിച്ചിട്ടുള്ള ഉദ്യോഗങ്ങളുടെ ഒരു ക്ലിപ്ത ശതമാനം അവർക്കായി വിതിച്ചു കൊടുക്കേണ്ടതാണ്. അതുപോലെ ഹിന്ദുക്കൾക്കായി വച്ചിട്ടുള്ള ഉദ്യോഗങ്ങളിൽ ഒരു ക്ലിപ്തശതമാനം അധഃകൃതഹിന്ദുക്കൾക്കായി കൊടുക്കേണ്ടതാണ്.

പബ്ലിക് സർവീസിൽ പ്രവേശനം നൽകുന്നതിന് മാനദണ്ഡമായി സ്വീകരിക്കേണ്ട മററു സംഗതികളെ സംബന്ധിച്ച് മാന്യമെമ്പരന്മാരായ മെസ്സേർസ് കോട്ടൂർ കുഞ്ഞുകൃഷ്ണപിള്ളയും പത്മനാഭമേനവനും ഈ സഭയിൽ പ്രസ്താവിച്ചിട്ടുള്ള മററു അഭിപ്രായങ്ങളോടുകൂടി ഞാൻ പരിപൂർണ്ണമായി യോജിച്ചുകൊള്ളുന്നു.

MR. K. C. ABRAHAM (*Kottayam II*): In supporting the Demand, under General Administration, I wish to offer a few remarks on this very controversial question of communal representation. In dealing with this question there are certain principles which we have to adhere to, if at all. This House will permit me to begin by saying that the question of efficiency and the question of communal representation are two very different things: and, if, as I heard this day in this Assembly, efficiency can be enhanced by communal representation, then, certainly, I would advocate communal representation to its core. But, if, by merely according, for the mere cry, as many posts as there are people in a particular community, the general administration of the State cannot be improved, then, certainly I am one who would not stand for that principle. Though the Report of the Public Service Recruitment Committee makes a sham reference to the fact that the ultimate aim of recruitment must be efficiency, I believe, it has fought shy of that fact, probably because administrative convenience and expediency required that the principle should not be adhered to to its logical limits. That proposition ought to have been made clearer. I beg to submit that, when we mean that efficiency is what is to be desired in administration, I suppose it is maximum efficiency that we want. And, if we want maximum efficiency in public administration, it means that individual efficiency must be at its maximum. I believe that those who fight for communal representation always have a lingering idea in them that, though they are not the best in the matter of efficiency individually, still they are entitled to a claim, not on the ticket of efficiency but on the ticket of something like a right to share in the administration of the State. That is a proposition which, on principle, I beg to differ from. The House will remember that I began by saying that I am not an advocate of communal representation as it is. But still I am one who takes facts as they are and I believe that their consequences will be what they will be. At present, the administration is manned in such a way that it has become a butt of ever so many complaints from every different quarter; and I believe that there is also some truth in it; only remedies are being applied which are worse than the disease. As has deen submitted by

many members of this House, the disease itself has arisen from many historical causes; and, to cut at the root of the disease and to say that we shall be pure and simple all at once is to desire something which is not possible. If you want to get rid of the disease, you must have a suitable remedy; if not communal representation, something else. Several suggestions have been put forward for the purpose of putting an end to the perpetuation of the inequalities in service. There is a loud cry for communal representation. Distribution of offices on the territorial basis has also been suggested. It is not unlikely that some one suggests that distribution must be made on the basis of the amount of tax paid; so that, if I, as an individual, pay the highest tax in Travancore, probably, I would be entitled to the highest post in the land.

DEPUTY PRESIDENT: The argument about territorial representation was not seriously put forth. It is not communal representation. You may proceed to other arguments.

MR. K. C. ABRAHAM (*Kottayam II*): Sir, if the historical causes are properly analysed, I am sure they will disclose the right solution for the present problem. The peculiar circumstances in Travancore have always induced a state of things in which certain communities at certain times have decidedly monopolised the offices under Government. Certainly the solution of that problem is not the institution of a remedy just as bad as communal representation in its naked form, but probably by working as per the directions which the Government have been issuing from time to time to level down the inequalities in service and to give equal opportunities to all sections of the people to serve the King and the State. In going through the Report, I was struck with the fact that so early as 1915 certain confidential communications had been issued by the Government directing that every officer who had the power of appointments should make an equitable distribution or allotment of offices as far as they lay in his power. This direction was repeated, I believe, in 1917 and again in 1920, so that the existence of the inequalities and the necessity for levelling these inequalities have been recognised by Government; for one fact: and for another, I am not prepared to lay the blame of these inequalities at the door of the Government as such.

I am prepared to stand on the statement that those people under the Government who are directly concerned with the distribution of offices are the persons at whose door the charge must be made. If only they have in their mind justice and fair-play towards the different communities in the State, I believe that this cry would not have arisen as such, and even now the solution that I propose is not a legislation distributing with mathematical precision the several offices in the various departments to particular communities according to their population but that the spirit of the orders of Government may be properly infused into the officers who are concerned with the distribution of offices in order that no room might be given for complaint on any side. Well, Sir, I cannot close this argument without specially referring to that.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member whether he suggests any practical scheme to guide officers in that respect ?

MR. K. C. ABRAHAM (*Kottayam II*) : I believe the most practicable scheme, so far as I can suggest, would be the demonstration of character, justice and fair-play (Mr. Kainikkara M. Padmanabha Pillai : *Hear, hear.*) in the officers as well as they can display. A former Dewan of the State put the case for communal representation upon a very solid basis when he said that 'a rigid mathematical formula, yielding precision and exactitude in proportion to community and appointment is one of the best instruments for the destruction of peace and happiness in the country'. I do not know if the case can be put stronger, and I entirely subscribe to that. Nevertheless, some solution has to be found.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know the name of the Dewan ?

MR. K. C. ABRAHAM (*Kottayam II*) : It is in the Report. I believe that there is nothing objectionable in mentioning his name. It is Dewan Mr. M. E. Watts.

Coming to the recommendations themselves, I have a few remarks to offer. Something has been said about the co-ordination of the services in the Education Department, taking into consideration the number of officers in the aided schools. I have not been able to reconcile myself with the view of Mr. Kunjukrishna Pillai that, so far as the institutions run by aid given by Government are concerned, the number or proportion of the posts in those institutions might be taken into consideration when the distribution of public offices is regulated. Well, if a political pensioner in the State were made to compulsorily entertain a guest who takes a right of sitting at his table and if that would be justifiable, then certainly the aided institutions may have to go in for that share of justice with the public departments of the State. As it now stands, it is entirely forgotten that when public offices are being manned by officers chosen by the Government and private institutions like aided schools are run, not by the department, but by private agencies upon expenditure of capital by themselves, and it is only by way of encouragement and help that contributions are made to those institutions, there is no justice in making them a test for the purpose of standardising the proportion of public offices.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know from the member whether these institutions receive from the Government any grant in the shape of building grant as well as for the pay of the teachers ?

MR. K. C. ABRAHAM (*Kottayam II*) : They might be receiving both the building aid and the other, but that does not entitle everybody else to go into that institution as a matter of right or to have it recognised or reckoned as a factor in standardising representation.

On the question of efficiency, a certain proportion, namely 10 per cent. of the offices has been fixed by the Committee on the ground of efficiency. Sir, upon the arguments that I advanced I cannot subscribe

to that 10 per cent. If it is desired that only 10 per cent. efficiency is what the State demands and requires, then certainly it may be justified. But I have the authority of Mr. K. T. Paul who in his memorandum before the Round Table Conference pleaded for an efficiency proportion of something like 50 per cent., and a 50 per cent. according to me is not too much. All that I care for, so far as the public administration is concerned, is efficiency and efficiency alone. But let it not be understood that because the several communities may be represented in the public service there is anything to sacrifice on the question of efficiency. I believe that in every community there are people who can contribute to the efficiency of the State services towards its maximum.

Another matter which I wish to comment on is the proportion for the Munsiffs' and the Stationary Magistrates' places fixed in the Report for recruitment. It is a proportion of one-fourth that has to be taken from the Bar according to the Committee. It has been a matter of complaint always, both in the old Popular Assembly and on the floor of this House, that that proportion of recruitment from the Bar is not sufficient. I would suggest that the Government should take it seriously into consideration and that they should prefer the members of the Bar to the clerks sitting in the office. If not 50 per cent., at least one-third should be taken directly from the Bar.

One word also as regards the recommendation for a foreigner for the purpose of presiding over the Services Commission when it comes into effect. I only wish to say one sentence about it. I have sufficient confidence in native integrity and acumen (Mr. P. K. Narayana Pillai: *Hear, hear.*) to suggest that we need not have at any cost a person from outside who presumably is not conversant with the particular conditions of this country, to preside over the distribution of offices so far as our State is concerned. I believe that if, as submitted, the officers who have the control over the distribution of the offices will have fairness and justice always at the back of their minds and also the desire to do service both to the King and the country, there would be no complaint and no matter for aggrievement for anybody.

MR. T. C. JOSEPH (*Minachil II*): As in British India, the problem of communal representation is undoubtedly the greatest problem which our country has to face at present. Compared with this problem all other questions pale into insignificance. The fact whether our country is going to be happy, peaceful and contended or a regular battlefield of opposing elements depends upon the decision of this question one way or the other. Unless and until this question is settled, no kind of reform, educational or legislative, is going to have any effect in this country. You cannot expect co-operation from the majority of the people in this land when they remain discontented and sullen on account of their want of representation in public service.

DEPUTY PRESIDENT: All these are repetitions of what other members have said already.

MR. T. C. JOSEPH (*Minachil II*) : Coming as I do from Minachil, which is exclusively inhabited by Roman Catholic Christians, I know the extent of discontent among the masses.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether this discontent is among the masses or educationally qualified people ?

MR. T. C. JOSEPH (*Minachil II*) : Among all people. There is not a single meeting of the Christians, Ezhavas or Muslims which does not pass a resolution requesting the Government to redress the grievance of ill representation in public service.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Is it *exclusion* from public service ?

MR. T. C. JOSEPH (*Minachil II*) : Inequality in the distribution of the offices in the public service. Then there is the press. There is not a single paper which does not contain an article criticising in very strong and even indecent language the policy of Government in neglecting to do justice to those communities. The meetings held by the other communities are attempts made to justify and account for their over-weighty representation to the public service. Under these circumstances, to allow matters to take their natural course is to precipitate a civil war in this country.

DEPUTY PRESIDENT : I do not think you are justified in referring to any civil war in this country. You may proceed.

MR. T. C. JOSEPH (*Minachil II*) : Before suggesting any remedy for the evil let me point out what causes have brought about this inequality. Brahmins, Nairs and other communities were the first to take advantage of English education in this country. It was a time when educated men were very rare and anybody with education got a place in the service. No question of efficiency arose as at present.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : May I know from the member what he means by "other communities" when he said Brahmins, Nairs and other communities ?

MR. T. C. JOSEPH (*Minachil II*) : The Jacobite and Mar Thoma Christians too.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know from the member whether Roman Catholics were prevented from attending schools ?

MR. T. C. JOSEPH (*Minachil II*) : They were neglected.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : Does the member mean that neglect must be given a prize ?

MR. T. C. JOSEPH (*Minachil II*) : I do not ask for a prize for neglect. What I say, Sir, is that even if they have neglected, when they come forward you will have to accede to what they claim.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Is there any disability now under which the Catholics are labouring in regard to entering the public service ?

MR. T. C. JOSEPH (*Minachil II*): That is what I am saying. They are not given their due share in the public service.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member———

DEPUTY PRESIDENT: You must always have your eye on the Chair. The question was whether any prohibition or disability as to the entertainment of Catholics in the Government service did exist. You may give the answer or not.

MR. T. C. JOSEPH (*Minachil II*): There is no prohibition.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): Was it not because they never thought it worth their while to give up the lucrative profession they had that they neglected to enter Government service?

MR. T. C. JOSEPH (*Minachil II*): That may be one of the reasons. But that does not justify why the others should prevent them now when they come forward with open eyes.

DEPUTY PRESIDENT: You have taken much more time than could be allowed. Have you got anything more to say?

MR. T. C. JOSEPH (*Minachil II*): Yes, Sir.

DEPUTY PRESIDENT: Then please go on.

MR. T. C. JOSEPH (*Minachil II*): We must remember that this communal problem is not a sudden growth. These communities were agitating for years together and Heads of Departments and other appointing authorities who belong to the forward communities invariably neglected to do justice to these communities. Had they been a little more careful, they could have avoided this.

MR. A. S. DAMODARAN ASAN (*Mavelikara*); Is it the member's view that the Report should be accepted and acted upon?

MR. T. C. JOSEPH (*Minachil II*): Yes, that is my view.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Is it the member's view that the Report should be accepted entirely without any modification?

MR. T. C. JOSEPH (*Minachil II*): With as little modification as possible.

MR. V. JOHN JOSEPH (*Nominated*): സർ, പബ്ലിക്ക് സർവീസ് റിക്രൂട്ടമെൻറു കമ്മിററി റിപ്പോർട്ടു തയ്യാറാക്കിയിട്ടുള്ളത് അധഃകൃതരുടെ കാര്യങ്ങളെ അശേഷം മറന്നിട്ടാണ്. ഈ കമ്മിററിയിൽ അധഃകൃതരിൽനിന്നു ഒരാളെക്കൂടി പ്രതിനിധിയായി നിയമിക്കാത്തതെന്താണെന്നു ഈ അസംബ്ലിയിൽ ഞാൻ ചോദ്യം ചോദിച്ചിരുന്നു.

DEPUTY PRESIDENT: You are not concerned with that, Mr, Joseph; please go on with the Report.

MR. N. JOHN JOSEPH (*Nominated*): കമ്മിററിയിൽനിന്നു പ്രസിദ്ധപ്പെടുത്തിയിട്ടുള്ള പ്രശ്നാവലികൾക്കു അധഃകൃതർ കൊടുത്തിട്ടുള്ള ഉത്തരങ്ങളെ തീരെ അവഗണിച്ചാണു ഈ റിപ്പോർട്ടു തയ്യാറാക്കിയിട്ടുള്ളതു്. വർഗ്ഗീയപ്രാതിനിധ്യം അനുസരിച്ചു ഉദ്യോഗവിതരണം ചെയ്യുന്നതിനാണല്ലോ കമ്മിററി ഏർപ്പെടുത്തിയിട്ടുള്ളതു്. ഉദ്യോഗം അർഹിക്കുന്ന സമുദായങ്ങൾക്കു കൊടുക്കാതെ വാസ്തവത്തിൽ പ്രാപ്തിയുള്ള സമുദായങ്ങൾക്കുമാത്രം ഉദ്യോഗം കൊടുക്കുവാനാണു് ഈ കമ്മിററിറിപ്പോർട്ടു തയ്യാറാക്കിയിട്ടുള്ളതെന്നു റിപ്പോർട്ടു നോക്കിയാൽ മനസ്സിലാകുന്നതാണു്. റോമൻ കത്തോലിക്ക്, സിറിയൻ, മാർത്തോമ്മാ, ലാററിൻ, പ്രോട്ടസ്റ്റൻറ്, ആംഗ്ലിക്കൻ ഇങ്ങിനെ പലതരത്തിലും സമുദായവിഭജനം നടത്തി ക്രിസ്ത്യാനികൾക്കു മൊത്തമായി ഉദ്യോഗങ്ങൾ കൊടുത്തിരിക്കുകയാണു്. ഈ സമുദായവിഭജനം നടത്തിയതു് രാഘവയ്യാദിവാൻജി അവർകളുടെ കാലത്തായിരുന്നു. ഈ സമുദായവിഭജനംനിമിത്തം സവർണ്ണക്രിസ്ത്യാനികൾക്കെന്തെങ്കിലും ദോഷമുണ്ടായിരുന്നു എങ്കിൽ അതിചേക്കു തീർച്ചയായും അവർ പ്രക്ഷോഭണം നടത്തുമായിരുന്നു. അന്നു് അധഃകൃതരുടെ പ്രാതിനിധ്യത്തെപ്പററി ശരിയായവിധത്തിൽ ഗവൺമെൻറിനെ അറിയിക്കുന്നതിനു കഴിവില്ലാതെ ഇരുന്നതുകൊണ്ടാണു് ഈ സമുദായവിഭജനം ഇന്നത്തെനിലയിൽ മുന്നോട്ടുവരുവാൻ ഇടയായിട്ടുള്ളതു്. എന്നാൽ അങ്ങിനെ സമുദായവിഭജനം നടത്തിയ രാഘവയ്യാദിവാൻജിഅവർകൾ തന്നെ അധഃകൃതർക്കു സൌജന്യമായി ഭൂമിപതിച്ചു കൊടുക്കുക, പള്ളിക്കൂടങ്ങളിൽ ഫീസുകൂടാതെ പഠിപ്പിക്കുക, പരീക്ഷാഫീസ് സൌജന്യമാക്കുക, വർഗ്ഗീയമായ സംഘങ്ങൾ അനുവദിച്ചുതരിക, നിയമസഭയിൽ പ്രത്യേകം പ്രതിനിധിയെ നിശ്ചയിക്കുക എന്നീ പല സൌജന്യങ്ങളും ചെയ്തുതന്നിട്ടുണ്ടു്.

DEPUTY PRESIDENT: You need not discuss the policy underlying the appointment of the Committee. You may go on with the merits of the Report.

MR. N. JOHN JOSEPH (*Nominated*): ഈ റിപ്പോർട്ടിൽ അധഃകൃതക്രിസ്ത്യാനികൾ അർഹിക്കുന്ന പ്രാതിനിധ്യം മററു ക്രിസ്ത്യാനികൾക്കു കിട്ടത്തക്കവിധത്തിലാണു ചെയ്തിട്ടുള്ളതു്. ഉദ്യോഗനിയമനം വിദ്യാഭ്യാസത്തെ മാനദണ്ഡമാക്കിയാണു നടത്തുന്നതെങ്കിലും അധഃകൃതക്രിസ്ത്യാനികൾ അർഹിക്കുന്ന ഉദ്യോഗം അവർക്കു പ്രത്യേകിച്ചും കൊടുക്കുന്നതിനു വ്യവസ്ഥചെയ്തിട്ടില്ല. ഒരു സമുദായത്തിന്റെ പ്രാതിനിധ്യം മറെറാരു സമുദായത്തിനു കിട്ടത്തക്കവിധത്തിലുള്ള ഈ സമുദായവിഭജനം ഗവൺമെൻറു ഒരിക്കലും അംഗീകരിക്കാൻ പാടുള്ളതല്ല.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Sertala I*): ഈ അധഃകൃതക്രിസ്ത്യാനികളിൽ ആരെല്ലാം ഉൾപ്പെടും?

MR. N. JOHN JOSEPH (*Nominated*): വിദ്യാഭ്യാസക്കുന്നതിനു പ്രതിബന്ധമുണ്ടായിരുന്നവരും ഉദ്യോഗം ലഭിക്കുന്നതിനു വിരോധിക്കപ്പെട്ടിരുന്നവരും അധഃകൃതക്രിസ്ത്യാനികളുടെ കൂട്ടത്തിൽപെടും.

ഈ അധഃകൃതഹിന്ദുക്കളുടെ ബാഡിയിൽ കൺവേർട്ടു ചെയ്തിരിക്കുന്നതു ഏതു സമുദായങ്ങളെയാണ്. ഇതു സെൻസസ്കമ്മീഷണർ നോട്ടുചെയ്തിട്ടുള്ളതാണ്. അധഃകൃതക്രിസ്ത്യാനികൾ ആറരലക്ഷം വരുമെന്നു പറയുന്നതിൽ പലക്കും സംശയം ഉണ്ട്. അതിൽനിന്നും നാടാർ ക്രിസ്ത്യാനികളെ മാററിയാൽ അഞ്ചുലക്ഷത്തിൽപരം അധഃകൃതക്രിസ്ത്യാനികൾ വരും.

MR. A. THANU PILLAI (*Trivandrum—Rural*): ഈ റിപ്പോർട്ടിൽ പറയുന്ന ഓരോ സമുദായങ്ങളിലും അധഃകൃതർ എത്രവീതം വരും?

DEPUTY PRESIDENT: Mr. Thanu Pillai, will you refer me to the page of the Report that will be useful.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Page 124.

DEPUTY PRESIDENT: Thanks.

MR. N. JOHN JOSEPH (*Nominated*): ഇപ്പോഴത്തെ ചീഫ് സെക്രട്ടറി അവർകൾക്കു അതു നല്ലവണ്ണം അറിയാം.

MR. A. THANU PILLAI (*Trivandrum-Rural*): മാർത്തോമ്മാ, സിറിയൻ, എന്നീ ഓരോസമുദായങ്ങളിൽനിന്നു മിസ്റ്റർ ജോസഫ് പറയുന്ന അധഃകൃത ക്രിസ്ത്യാനികൾ ഉണ്ടാകുമോ?

MR. N. JOHN JOSEPH (*Nominated*): ഈ ഓരോ ജനങ്ങളിലുംനിന്നു ഏറക്കുറെ അധഃകൃത ക്രിസ്ത്യാനികൾ ഉണ്ട്. റിപ്പോർട്ടിൽ റോമാസിറിയൻ, മർത്തോമ്മാ, യാക്കൊബായ, ലത്തീൻകത്തോലിക്കാ, ആംഗ്ലിക്കൻ മററു പ്രോട്ടസ്റ്റൻറ് എന്നിങ്ങനെ പല പിരിവുകൾ കൊടുത്തിരിക്കുന്നു. കമ്മിററിയുടെ നിർദ്ദേശം അനുസരിച്ചു നാടാർ ക്രിസ്ത്യാനികൾക്കല്ലാതെ മററു പ്രോട്ടസ്റ്റൻറ് എന്നു കോട്ടത്തിരിക്കുന്ന പേരുകൊണ്ടു അധഃകൃത ക്രിസ്ത്യാനികൾക്കു ഉദ്യോഗം ലഭിക്കുന്നതല്ല.

MR. A. THANU PILLAI (*Trivandrum-Rural*): റിപ്പോർട്ടിൽ പറഞ്ഞിട്ടുള്ള ഓരോജനത്തിൽനിന്നു അധഃകൃത ക്രിസ്ത്യാനികളെ തിരിച്ചെടുക്കാൻ സൌകര്യമുണ്ടോ?

MR. N. JOHN JOSEPH (*Nominated*) : സ്റ്റാററിസ്റ്റിക്സ്നോക്കിയാൽ അധഃകൃതഹിന്ദു എത്ര എന്നും അധഃകൃതക്രസ്ത്യാനി എത്ര എന്നും കാണാവുന്നതാണ്. സമുദായങ്ങളെ വേർതിരിക്കുന്നതിൽ സമർത്ഥനും വിദഗ്ദ്ധനുമായ ഇന്നത്തെ ചീഫ്സിക്രട്ടറി സെൻസസ്സ്കമ്മീഷണർ ആയിരുന്നപ്പോഴാണ് ഇങ്ങിനെ വേർതിരിച്ചിട്ടുള്ളത്.

DEPUTY PRESIDENT: Order. order, You cannot say what the present Chief Secretary or any other officer is going to do. You are quite in order in referring to any public record. What a particular officer is going to do and what he should do is not a matter for you to deal with in this House. Please proceed.

MR. N. JOHN JOSEPH (*Nominated*) : ഗവണ്മെൻറിൽനിന്നു സ്റ്റാററിസ്റ്റിക്സ് നോക്കി അധഃകൃത ക്രസ്ത്യാനികൾ എത്ര ഉണ്ടെന്നു കണ്ടുപിടിച്ചു അവർ അർഹിക്കുന്ന പ്രാതിനിധ്യം അവൎക്ക് നൽകത്തക്കവണ്ണം നിയമത്താൽ വ്യവസ്ഥചെയ്യണം. ഇപ്പോൾ വിഭജിച്ചിട്ടുള്ള സമുദായങ്ങളോട് അധഃകൃത ക്രസ്ത്യാനികളെ ചേൎത്താൽ അധഃകൃതൎക്ക് യാതൊരു ഉദ്യോഗവും കിട്ടുകയില്ല. അധഃകൃത ഹിന്ദുക്കളേ൯ ൪൨ സമുദായങ്ങളെ കൂട്ടിച്ചേൎത്തിരിക്കുന്നു. ഈ ൪൨ സമുദായങ്ങളും അടങ്ങിയ ബാഡിക്ക് അറുപത്തിനാലിൽ നാലു ഉദ്യോഗമാണ് നിശ്ചയിച്ചിട്ടുള്ളതു്. എന്തിനെ അടിസ്ഥാനപ്പെടുത്തിയാണ് ഇതു് നിശ്ചയിച്ചിട്ടുള്ളതെന്നറിയുന്നില്ല. അധഃകൃതഹിന്ദുവായ വെള്ളത്തേടനേയും വിളക്കിത്തലനായരേയും ചേൎത്തിരിക്കുന്നു. അവരുടെ വിദ്യാഭ്യാസത്തിന്റെ പിന്നോക്കനില അനുസരിച്ചായിരിക്കാം അങ്ങിനെ ചേൎത്തിരിക്കുന്നതു്. ഇവൎക്കൊക്കെ കൊടുത്തിട്ടു ബാക്കിനോക്കിയാൽ അധഃകൃതനു ഒന്നും കിട്ടുകയില്ല.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): വിളക്കിത്തലവരെ എന്തുചെയ്യണമെന്നാണ് അഭിപ്രായം?

MR. N. JOHN JOSEPH (*Nominated*) : ഇപ്പോൾ അവരെ അധഃകൃതരുടെ കൂട്ടത്തിൽ ചേൎത്തിരിക്കയാണ്.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): അങ്ങിനെ ചേൎക്കണമെന്നോ ചേൎത്തുകൂടെന്നോ മെംബറിന്റെ അഭിപ്രായം?

MR. N. JOHN JOSEPH (*Nominated*): അവരുടെ വിദ്യാഭ്യാസത്തിന്റെ നിലയനുസരിച്ചു ചേൎക്കാമായിരിക്കാം.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : ആരുടെ എങ്കിലും അഭിപ്രായപ്രകാരമാണോ അങ്ങിനെ ചേൎത്തിട്ടുള്ളതു്?

MR. N. JOHN JOSEPH (*Nominated*) ; അല്ലായിരിക്കും. മലയാളബ്രാഹ്മണൎക്കു വിദ്യാഭ്യാസം ഇല്ലാത്തതുകൊണ്ടു ബ്രാഹ്മണരുടെ ഗ്രൂപ്പിൽനിന്നും തിരിച്ചു അവരെ പുറംതള്ളുകയാണ് ചെയ്തിരിക്കുന്നത്.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): അവൎക്ക് സാക്ഷരത്വം എന്തിനാണ്?

MR. N. JOHN JOSEPH (*Nominated*): കമ്മറ്റിയിൽനിന്നു അങ്ങിനെയാണ് റിപ്പോർട്ടു തയ്യാറാക്കിയിരിക്കുന്നത്. നെല്ലും മുതിരയുംകൂടി ഒരുമിച്ചു ചേർത്തതുപോലെയിരിക്കുന്നു. നാടാരേയും കമ്മാളരേയും ഒന്നിച്ചാണ് ചേർത്തിരിക്കുന്നത്. അതു് ഡീസൻസിക്കുതന്നെ കുറവാണ്.

DEPUTY PRESIDENT : Yes, your time is up.

MR. N. JOHN JOSEPH (*Nominated*) : I obey the order, but I have not wound up.

DEPUTY PRESIDENT ; Your time is up.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : Sir, there can be no question that efficiency and communal representation cannot go together. But we have to remember that we are living in this work-a-day world, in this world of tug and tussle of adjustment and compromise. The demand for communal representation has been made insistently in the old Sri Mulam Popular Assembly, in the old Legislative Council, in this House and elsewhere and we have to pay regard to it. Popular contentment is as much a criterion of good administration as efficiency and it is in that view that I am approaching this very grave problem.

In the first place, Sir, a minimum qualification has been fixed by the Committee in respect of inferior service. It is being asked why this should be fixed, and whether the Government have not already fixed minimum qualifications for such appointments. My answer is that, in respect of certain appointments, minimum qualificatians have not been now fixed and that, if higher qualifications are found necessary, they may be fixed by the Government provided, however, that the depressed classes do not suffer by any such arrangement and that every one of these classes gets the opportunity for service.

As regards superior service, a competitive examination has been recommended by the Committee. I found that some members were taking objection to this competitive examination. I do not see any reason for their doing so. No doubt there has been no competitive examination hitherto and the Heads of Departments have been making appointments. There have been complaints on that score and it is to remove those complaints that a competitive examination is recommended. When a competitive-examination is introduced, all complaints in the matter of recruitment can be removed. It was then suggested by some members that

[Rao Sahib S. Paramesvara Aiyar]

certain communities who are now getting a major portion of the appointments might stand aside for some time giving room for certain other communities who have not been properly represented. This does not appear to me to be a practical proposition. Here we are solving the problem for the present youth of the country, ordinarily men under 25 years of age. Why should any portion of that community, I mean young men of that community of less than 25 years, be made to suffer because they were born in certain communities? Why should they be made to stand aside giving room for members of certain other communities? It is not fair to the members of those communities, whatever may be the historical circumstances under which their ancestors held more appointments and certain others less. Nor is it likely that if for a few years these communities stand out and other communities are— ——

MR. S. CHATTANATHA KARAYALAR (*Shercotta*): May I know from the member whether there is any such recommendation in the Report?

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): No. I refer to that only as arising out of the discussion here allowed to step in. The latter communities will be willing to give way when the distribution of jobs comes to be equal. As regards this competitive examination, it has been said that it is only an eliminating examination. All the same we must have only qualified men for the service. I am prepared to accept Mr. Thanu Pillai's formula by which when the required number of candidates is not forthcoming from any particular community the vacancies should go to other communities of an allied nature subject to the proviso that in the case of depressed classes who will not be able to supply the required number of candidates, a certain precentage of vacancies should be set apart and filled by the members of these very classes irrespective of their names finding a place in the list of successful candidates.

There is then the question of communal rotation. As regards this subject, I feel, Sir, that strictly speaking, there ought to be only three communities in this country; the educationally forward community, the educationally backward community and the educationally depressed community. We cannot divide the people of Travancore into water-tight compartments from the standpoints of caste, creed, and occupation. That should have been the basis on which the Committee made their recommendations. As the recommendations stand, I have to make one or two observations. One very important omission that was pointed out by my friend Mr. Joseph is that under the scheme of the Committee the depressed class Christians have not been taken into account. There is much truth in that observation. How is a Cherama Christian to compete with an Anglican Syrian Christian? No provision is made with regard to any reservation of seats for the

Christian depressed classes. Such provision seems to be very necessary, particularly in view of the fact that the Hindu depressed classes have been given separate seats. As regards the figure quoted by Mr. Joseph, I find that the total number of Christians, taking away the Nadars, is about 3,86,386, men and women put together. The male population will be about 2 lakhs. Separate provision will have to be made for this number of the depressed class population in the Christian community.

As regards the reservation for efficiency, only 10 per cent. has been recommended by the Committee. It has been suggested by several members of the Assembly that 30 per cent. may be reserved, 20 per cent. may be reserved and so on. I beg to suggest that at least 25 per cent. may be set apart for the purpose of efficiency to be filled by competitive examination without considerations of caste or creed. I find that several members including Dr. Kunjan Pillai and some European members recommended 25 per cent. during the time of the Commitee's deliberations. Efficiency does not exclude any particular community. God sows his good seeds everywhere and the best men in any community can come out successful in any competitive examination. Higher educational qualifications *plus* character is surely higher than lower qualifications *plus* character. It has been suggested in the Report that for recruitment to executive posts, a competitive examination may be held or the process of interview adopted or both. I insist upon competitive examination for executive posts. Unless one has passed in the competitive examination, one should not be appointed to such a post; the process of interview may be gone through in addition.

DEPUTY PRESIDENT: Your time is up.

RAO SAHIB S. PARAMESWARA AIYAR (*Nominated*): I have to speak on one or two points more.

DEPUTY PRESIDENT: Seven minutes is ordinarily the time given to members. You have exceeded that.

RAO SAHIB S. PARAMESWARA AIYAR (*Nominated*): One minute more.

DEPUTY PRESIDENT: I am sorry, I have pronounced a definite ruling. Otherwise I would have allowed.

MR. P. C. NARAYANAN BHATTATIRIPAD (*Travancore Jenmies, South*): സർ, ഉദ്യോഗനിയമനം സമുദായപ്രാതിനിധ്യതത്വമനുസരിച്ചു ചെയ്യാൻപാടില്ല എന്നാണ് എന്റെ അഭിപ്രായം. പരീക്ഷായോഗ്യതയും വിദ്യാഭ്യാസയോഗ്യതയും അനുസരിച്ചുവേണം ഉദ്യോഗനിയമനം നടത്തുവാൻ.

മലയാളബ്രാഹ്മണരെ സംബന്ധിച്ച് ഈ റിപ്പോർട്ടിൽ പ്രസ്താവിച്ചിട്ടുള്ളതിനെപ്പററി പ്രതിപാദിക്കാമെന്നു വിചാരിക്കുന്നു. റിപ്പോർട്ടിൽ മലയാളബ്രാഹ്മണർക്കു കൊടുത്തിട്ടുള്ള സ്ഥാനത്തെപ്പററി ആക്ഷേപിക്കാതിരിക്കുവാൻ നിവൃത്തിയില്ല. മലയാളബ്രാഹ്മണർ വിദ്യാഭ്യാസവിഷയത്തിൽ പിന്നോക്കമല്ലെന്നു സെൻസസ്സ്റിപ്പോർട്ട് പ്ര

[Mr. P C. Narayanan Bhattatiripad.]

ത്യക്ഷപ്പെടുത്തുന്നതാണ്. കൂടാതെ ൧൯൩൨ നവമ്പർമാസത്തിൽ കൂടിയ നിയമസഭയിൽ വർഗ്ഗീയപ്രാതിനിധ്യവാദം വന്നപ്പോൾ അന്നത്തെ ചീഫ്സെക്രിട്ടറി വർഗ്ഗീയപ്രാതിനിധ്യം വിദ്യാഭ്യാസം സിദ്ധിച്ചിട്ടുള്ളവരുടെ സംഖ്യയെ അടിസ്ഥാനപ്പെടുത്തിവേണം കൊടുക്കേണ്ടതു എന്നും ജനസംഖ്യ അനുസരിച്ചു ഉദ്യോഗനിയമനം നടത്തണമെന്നുള്ള തത്വത്തെ ഗവണ്മെന്റു അംഗീകരിച്ചിട്ടില്ലെന്നും പ്രാതിനിധ്യമില്ലാത്ത സമുദായക്കാരുടെ കാര്യം പ്രത്യേകം പരിഗണിക്കേണ്ടതാണെന്നും ജനസംഖ്യയെ അടിസ്ഥാനമാക്കി നിയമനം നടത്തുകയാണെങ്കിൽ ൭൨ കത്തോലിക്കരെ നിയമിച്ചാൽമാത്രമെ ഒരു നമ്പൂരിയെ നിയമിക്കുവാൻ സാധിക്കുകയുള്ളു എന്നും അതു അസംബന്ധമാണെന്നും പ്രസ്താവിച്ചിട്ടുള്ളതായി കമ്മറ്റിക്കാർതന്നെ റിപ്പോർട്ടിൽ എടുത്തു പ്രസ്താവിച്ചിരിക്കുന്നു. ജനസംഖ്യയിൽ മലയാളബ്രാഹ്മണർവളരെ പിന്നോക്കമാണെങ്കിലും ഗവണ്മെന്റു ഇതുവരെ അവരെ പ്രത്യേകമായും പ്രധാനമായും ഒരു വർഗ്ഗമായി പേരുകൊടുത്തു എല്ലാസംഗതികളിലും പ്രാധാന്യം കല്പിച്ചുവരികയാണു. ഈ റിപ്പോർട്ടിൽ മലയാളബ്രാഹ്മണരെ പ്രത്യക്ഷത്തിൽകാണാൻ പാടില്ലയൊ എന്നു സംശയം തോന്നുമാറു വേറെ ഒരു വർഗ്ഗത്തിൽ പ്രത്യേകം നോക്കിയാൽമാത്രം കാണത്തക്കനിലയിൽ ചേർത്തിരിക്കുന്നു. ഉദ്യോഗത്തിനുവേണ്ടിയാണു അങ്ങനെ ചേർത്തിരിക്കുന്നതെങ്കിലും തിരുവിതാംകൂറിൽ ഇങ്ങനെ ഒരു വർഗ്ഗമുണ്ടെന്നു കാണിക്കുന്നതിൽ എന്താണു വിരോധം? പൊതുവിൽ പ്രാതിനിധ്യം അനുവദിക്കണ്ടാ എന്നാണു അഭിപ്രായം; എല്ലാവർക്കും പ്രാതിനിധ്യം അനുവദിക്കണമെന്നു വിചാരിക്കുന്നപക്ഷം മലയാളബ്രാഹ്മണരുടെ കാര്യവും പ്രത്യേകമായി ആലോചിച്ചു കിട്ടേണ്ട ശതമാനത്തിൽ എത്രഎങ്കിലും ഭാഗം എത്രകാലംകഴിഞ്ഞെങ്കിലും കിട്ടത്തക്കവണ്ണം പ്രത്യേകം ഒരു ലിസ്റ്റിൽ സ്ഥാനംകൊടുക്കേണമെന്നു ഞാൻ പ്രത്യേകമായും ബലമായും അഭിപ്രായപ്പെടുന്നു.

MR. G. NILAKANTAN (*Nominated*) : Sir, I accept the recommendations of the Public Service Committee with certain modifications.

According to the Committee, communal representation as such is not desirable on principle, but I am of opinion that communal representation must be accepted on principle for the reason that the country, being divided into different castes and communities, is to be considered more as a union of communities, than of individuals. For the general

advancement of the country, it is desirable that prominence should be given to the conception of the State as consisting of communities and not of individuals. Communal representation is absolutely necessary on the following grounds. In the first place, the existing system of recruitment is very bad. It depends upon the sweet will and pleasure of the officers having powers of appointment. Secondly, there was in the past suppression of opportunities to several communities for getting themselves educated and qualified for entry into Government service. Thirdly, it is necessary for the improvement of the tone of the administration. As it is, the representatives of communities look to the interest only of people coming from their own section and do not look to the good of others. My experience for the last 25 or 30 years has been that the so-called efficiency consisted in making appointments from one's own community, trying to ignore the claims of other communities and to feather one's own nest. That efficiency which consists in the abilty to adjust the responsibilities to Government and to people is not in evidence. If representatives of different communities are appointed in public service there will be a check on each other and there will be rivalry between the officers in doing good to the people in general.

MR. M. N. NAIR (*Kottayam I*) : Will there not be rivalry between the officers and the people ?

MR. G. NILAKANTAN (*Nominated*) : No, Sir; if there is communal representation in public service, there will be peace and prosperity and every one will try his best to better the administration of the country.

DEPUTY PRESIDENT : Your time is up.

MR. G. NILAKANTAN (*Nominated*) : One or two points more.

DEPUTY PRESIDENT : Just finish your speech soon.

MR. G. NILAKANTAN (*Nominated*) : The classification of the communities in groups as given by the Committee is generally acceptable; but I do not see why the Kammalas and Nadars should be classified as belonging to one and the same group It does not appear to be based on principle,. They should not be jumbled together in the matter of representation in the public service as each community is sufficiently numerous for recognition as independent communities.

DEPUTY PRESIDENT : You have exceeded the time, Mr. Nilakantan.

Hereafter I propose to follow a certain method. There are three well-defined parties in this House. In each party, its leader or anybody else who is authorised can speak. Besides this, there are one or two interests which require some little time to be given for expressing their views. Before I call upon the party leaders, I would call upon a non-party man, but with this request that he will use as little time as possible.

MR. T. T. KESAVAN SASTRI (*Nominated*) : വിവിധജാതിമതസ്ഥരായ ഈ രാജ്യത്തെ ൫൦ ലക്ഷം ജനങ്ങളുടെ പബ്ലിക്കസർവീസ്സ് പ്രാ

[Mr. T. T. Kesavan Sastri.]

തിനിധ്യാവകാശവാദത്തെ നീതീകരിക്കുന്നതിനായി ഗവണ്മെൻറിൽനിന്നു തയ്യാറാക്കിയിട്ടുള്ള ഈ റിപ്പോർട്ട് എല്ലാജനങ്ങളുടേയും സവിശേഷമായ ശ്രദ്ധക്കു വിഷയീഭവിച്ചിട്ടുണ്ടു. സമുദായപ്രാതിനിധ്യം അംഗീകരിക്കുന്നവിഷയത്തിൽ ജനസമുദായം ഭിന്നാഭിപ്രായക്കാരായിരിക്കാം. എന്നാൽ അവരവരുടെ സമുദായത്തിനു വേണ്ടി അവകാശവാദംചെയ്യുവാൻ അവരവർ ഏതവസരത്തിലും മുന്നോട്ടു വരുന്നുണ്ടെന്നുള്ളതും സൂക്ഷിച്ചുനോക്കിയാൽ കാണാവുന്നതാണ്. മതത്തിന്റെ പേരിലും സമുദായത്തിന്റെ പേരിലും ജാതിപ്പേരിലും അവകാശവാദം ചെയ്യുന്നവരും ഇല്ലാതില്ല. പബ്ലിക്കുസർവീസിൽ പ്രാതിനിധ്യമില്ലാത്തവരും സാധുക്കളുമായ ഈ രാജ്യത്തിലെ അധഃകൃതരെ സംബന്ധിക്കുന്ന കാര്യങ്ങളാണ് എനിക്കു സവ്യസനം പറയാനുള്ളതു്. ഈ കമ്മിററിറിപ്പോർട്ടിൽ പബ്ലിക്ക്സർവീസ്സു പ്രാതിനിധ്യത്തെ ഉയർന്നതരമെന്നും താഴ്ന്നതരമെന്നും രണ്ടായിട്ടാണു തിരിച്ചിട്ടുള്ളതു്. വിദ്യാഭ്യാസവിഷയത്തിൽ പിന്നോക്കംനില്ക്കുന്ന സമുദായക്കാർക്കു അവരുടെ ഉന്നമനത്തിനനുയോജ്യമായ പന്ഥാവിൽതന്നെ നിയമനം നിർണ്ണയിക്കേണ്ടതാകുന്നു. ആകെയുള്ള ഉദ്യോഗങ്ങളിൽ പത്തുശതമാനം ജാതിമതഭേദമന്യേയുള്ള ഒരു മത്സരപരീക്ഷയ്ക്കു വിട്ടുകൊടുത്തിരിക്കുന്നു. ഈ അഭിപ്രായത്തെ എല്ലാവരും കാര്യമായി അംഗീകരിച്ചിട്ടുമുണ്ട്. എന്നാൽ അവശസമുദായങ്ങളും വിദ്യാഭ്യാസവിഷയത്തിൽ പിന്നോക്കം നിൽക്കുന്നവരുമായ ആളുകൾക്കു ഏതാദൃശമായ മത്സരപരീക്ഷകളിൽ ചേർന്നു വിജയംനേടി ഉദ്യോഗം കരസ്ഥമാക്കുന്നതിനു വളരെ പ്രയാസമാണു. ഉദ്യോഗവിഷയത്തിലും വിദ്യാഭ്യാസവിഷയത്തിലും വളരെ പിന്നോക്കംനില്ക്കുന്ന അധഃകൃതസമുദായങ്ങളുടെ കാര്യം കമ്മിററിക്കാർ വേണ്ടുംവണ്ണം ഗൌനിച്ചില്ലെന്നുള്ള സംഗതി പ്രസ്താവ്യമായിരിക്കുന്നു. അതിനാൽ താഴ്ന്നതരം ഉദ്യോഗങ്ങളെങ്കിലും ഒരു നിശ്ചിതകാലത്തേക്കു പബ്ലിക്കുസർവീസ്സിൽ പ്രാതിനിധ്യമില്ലാത്ത സമുദായക്കാർക്കു കൊടുത്തു അവരെ പ്രോത്സാഹിപ്പിക്കുകയും സഹായിക്കുകയും ചെയ്യുന്നതിൽ ഗവണ്മെൻറു ദയാപൂർവം ശ്രദ്ധിക്കേണ്ടതാകുന്നു.

MR. N. E. VARUGHESE (*Tiruvalla I*) സർ, Point of order. പാർട്ടിയിൽ ചേർന്നിട്ടുള്ള ആളുകൾക്കു് സംസാരിക്കുവാൻ അനുവാദം കൊടുത്തിരിക്കുന്നു. എന്നാൽ പാർട്ടിയിൽ ചേരാത്ത ആളുകളും ഇവിടെയുണ്ട്. അവക്ക് സംസാരിക്കുവാൻ അനുവാദംകിട്ടുമൊ?

DEPUTY PRESIDENT : ഇവിടെ പറഞ്ഞതു് ശരിയായി മനസ്സിലാക്കാത്തതുകൊണ്ടാണു് ഈ പോയിൻറു് ആഫ് ആർഡർ കൊണ്ടുവരുവാനിടയായതു്. പാർട്ടിയിൽ ഉള്ള ആളുകൾക്കു് സംസാരിക്കുവാൻ സൌകര്യം കൊടുക്കുന്നതുപോലെ പാർട്ടിയിൽ ചേരാത്ത ആളുകൾക്കും സന്ദർഭംപോലെ സൌകര്യം കൊടുക്കുന്നതാണു്. അതാണു് മിസ്റ്റർ കേശവൻശാസ്ത്രിയെ സംസാരിക്കുവാൻ വിളിച്ചതു്.

MR. N. E. VARUGHESE (*Tiruvalla I*): സർ, ഇന്നു് വാദപ്രതിവാദത്തിനു വിഷയമായിരിക്കുന്ന സംഗതി പബ്ളിക്സർവീസിൽ ആളുകളെ നിയമിക്കുന്നതു് എന്തെല്ലാം തത്വങ്ങളെ അടിസ്ഥാനപ്പെടുത്തിയായിരിക്കണമെന്നുള്ളതാണു്. വർഗ്ഗീയപ്രാതിനിധ്യം അനുസരിച്ചാണോ അതല്ല കാര്യക്ഷമതയെ മാത്രം അടിസ്ഥാനപ്പെടുത്തിയാണോ ഉദ്യോഗനിയമനം നടത്തേണ്ടതു് എന്നാണു് പ്രധാനമായി ആലോചിക്കേണ്ടിയിരിക്കുന്നതു്. സർ, ഞാൻ ഒരു വർഗ്ഗീയചിന്തകൻ അല്ല. വർഗ്ഗീയചിന്ത മററുവല്ലവരും പറയുന്നതുകേട്ടു് എൻെറ മനസ്സിൽക്കൂടി കടന്നുപോയിട്ടുള്ളതു മാത്രമേയുള്ളു. മഹാരാജാവു് തിരുമനസ്സിലെ പ്രജകൾക്കു് ഉദ്യോഗദാനവിഷയത്തിൽ വർഗ്ഗീയമായ എന്തെങ്കിലും വ്യത്യാസങ്ങൾ ചെയ്യണമെന്നു് എനിക്കഭിപ്രായമില്ല. നമ്മുടെ മഹാരാജാവു് തിരുമനസ്സിനു് യാതൊരുവിധമായ വർഗ്ഗീയവ്യത്യാസങ്ങളുമില്ലെന്നും ജാതിമതഭേദമന്യേ, എല്ലാവരോടും സമഭാവനയാണുള്ളതെന്നും രാജ്യക്ഷേമത്തിനുവേണ്ടി വിവിധവർഗ്ഗക്കാരും സൌഹാർദ്ദപൂർവം വർത്തിക്കണമെന്നും മററുമാണു് അവിടുന്നു അഭിലഷിക്കുന്നതെന്നും തിരുമനസ്സിലെ പല സന്ദർഭങ്ങളിലുമുള്ള പ്രസ്താവനകളിൽനിന്നു നാം മനസ്സിലാക്കിയിട്ടുണ്ടു്. തിരുമനസ്സിലെ ആഗ്രഹം ഇങ്ങിനെയിരിക്കേ നാം അതിനെ സഫലമാക്കിത്തീർക്കുന്നതിനു് ശ്രമിക്കുകയല്ലാതെ അതിനു് പ്രതികൂലമായ സംഗതി നമ്മുടെമനസ്സിൽ തോന്നുകയോ പ്രതികൂലമായ സംഗതിയെപ്പററി ഇവിടെ വാദപ്രതിവാദം നടത്തുകയോ ചെയ്യുന്നതു് ആ സംഗതിയെ വിഷമകരവും വിഷമയവും ആക്കിത്തീർക്കുകയല്ലേ ചെയ്യുന്നതെന്നു് സഭാംഗങ്ങൾ ആലോചിച്ചുനോക്കേണ്ടതാണു്. ഞാൻ ഒരു ക്രിസ്ത്യൻ മെമ്പർആണു്. ഒരു ക്രിസ്ത്യാനിയുടെ മനസ്സിൽ വർഗ്ഗീയചിന്ത കടന്നുകൂടാൻ പാടില്ലാത്തതാണു്. ഞാൻ വിശ്വസിക്കുന്ന പ്രമാണത്തേയും തത്വത്തേയും അടിസ്ഥാനപ്പെടുത്തിയും നായകൻെറ പ്രമാണത്തെ അനുസരിച്ചും അല്ലാതെ അതിനു വിരുദ്ധമായ രീതിയിൽ ഉദ്യോഗനിയമനവിഷയത്തിൽ പ്രവർത്തിക്കണമെ

[Mr. N. E. Varughese.]

ന്നഭിപ്രായപ്പെടുവാൻ ഞാൻ തയ്യാറില്ല. എങ്കിലും നീതിനടത്തണമെന്നുള്ളതിൽ ഇനിക്കു വളരെ താല്പര്യമുണ്ട്. അതുകൊണ്ട് വർഗ്ഗീയമായ നിലയും യാതൊരു പ്രാധാന്യവും കൊടുക്കാതെ കാര്യക്ഷമതയെ മുൻനിത്തി മഹാരാജാവു തിരുമനസ്സിലെ ആഗ്രഹത്തെ സഫലീഭവിപ്പിക്കത്തക്കവണ്ണം ഈ സഭയിലെ വാദപ്രതിവാദങ്ങൾ നിയന്ത്രിക്കപ്പെടണമെന്നേ ഞാൻ ആഗ്രഹിക്കുന്നുള്ളു. റിപ്പോർട്ടിലുള്ള ഒരു പ്രത്യേകസംഗതിയെപ്പററി മാത്രമെ അഭിപ്രായം പറയുന്നതിനു ഞാൻ വിചാരിക്കുന്നുള്ളു. സർ, ഈ റിപ്പോർട്ടിൽ പറഞ്ഞിരിക്കുന്ന ഇരുപത്തേഴാമത്തെ ഭൂരിപക്ഷശുപാർശയെ ഞാൻ എതൃക്കുന്നു. വർഗ്ഗീയപ്രാതിനിധ്യം അനുവദിക്കുന്നു എങ്കിൽ വിദ്യാഭ്യാസവകുപ്പിൽ സ്വീകരിക്കേണ്ട ഒരു പ്രമാണത്തെപ്പററി പറഞ്ഞിരിക്കുന്ന ഒരു ശുപാർശയാണിതു. എയിഡഡ്സ്കൂളുകളിൽ ഇപ്പോഴുള്ള വർഗ്ഗീയപ്രാതിനിധ്യത്തെ വകവച്ചിട്ടേ ഡിപ്പാർട്ടുമെൻറു സ്കൂളുകളിൽ ഓരോ വർഗ്ഗക്കാരെയും പ്രവേശിപ്പിക്കാൻ പാടുള്ളു എന്നു പറഞ്ഞിരിക്കുന്നു. ആ ശുപാർശ വളരെ വിഷമകരവും വിഷമയവുമായിട്ടുള്ളതാണ്. ഇതു വർഗ്ഗീയചിന്തയെ അടിസ്ഥാനമാക്കിയും അതിനെ ഒളിച്ചുവച്ചുകൊണ്ടും നിർദ്ദേശിച്ചിരിക്കുകയാണ് എന്നു സംശയിപ്പാൻ ന്യായം ഇല്ലാതില്ല. ഈ സംഗതിയിൽ ഒരു രഹസ്യമുണ്ട്. പ്രൈവററ്സ്കൂളുകൾ നടത്തുന്നതു് അധികഭാഗവും ക്രിസ്ത്യാനികളാണ്. അവയിലെ നിയമനത്തിൽ ക്രിസ്ത്യാനികളാണ് കൂടുതൽ. അങ്ങിനെ കൂടുതലുള്ളതിനാൽ ക്രിസ്ത്യാനികൾക്കെതിരായി മാറിനിന്നുകൊണ്ട് കാണിച്ചിരിക്കുന്ന ഒരു പോരല്ലയോ ഇതെന്നു് സംശയിക്കേണ്ടിയിരിക്കുന്നു. അതു് ഒരിക്കലും അനുവദിക്കാൻ പാടില്ല. വർഗ്ഗീയ മനോഭാവത്തെയാണ് ഇതു് പ്രത്യക്ഷപ്പെടുത്തുന്നതു്.

DEPUTY PRESIDENT : Are you not attributing motives to the members of the Committee?

MR. N. E. VARUGHESE (*Tiruvalla I*) : It is a fact, Sir.

MR. N. E. VARUGHESE (*Tiruvalla I*): സംഗതികളുടെ വാസ്തവസ്ഥിതിയെപ്പററി ഞാൻ പ്രസ്താവിച്ചു എന്നേയുള്ളു. ഈ ശുപാർശ ഒരിക്കലും അനുവദിക്കാൻ പാടില്ല. അങ്ങിനെ ചെയ്യുന്നു എങ്കിൽ എയിഡഡ്സ്കൂളുകൾ ഗവമ്മെൻറു ഏറെറടുത്തു നടത്തേണ്ടതായിവരും. അതു ഗവമ്മെൻറിനു വളരെ വിഷമകരമായിതീരുകയും ചെയ്യും. അന്യസമുദായക്കാർ നടത്തുന്ന സ്കൂളുകളിൽ ക്രിസ്ത്യാനികൾക്കു പ്രാതിനിധ്യം വേണമെന്നു് അവർ ആഗ്രഹിക്കുന്നില്ല. ഗ്രാൻറുകൊണ്ടു

മാത്രമല്ല എയിഡെഡ് സ്കൂളുകൾ നടത്തപ്പെടുന്നതു്. ധാരാളം പണം അതിന്റെ ഭാരവാഹികൾ, സ്വന്തവക, ചെലവാക്കുന്നുണ്ടു്. ക്രിസ്ത്യാനികൾ നടത്തുന്ന വിദ്യാലയങ്ങളെ ഏറെറടുത്തു നടത്തുന്നതിനു തയ്യാറുണ്ടോ എന്നും അങ്ങനെ ഏറെറടുത്തു നടത്തുന്നപക്ഷം വർഗ്ഗീയപ്രാതിനിധ്യം അനുവദിക്കുന്നതിനു തയ്യാറാകുമോ എന്നും അറിയേണ്ടതായിരിക്കുന്നു.

DEPUTY PRESIDENT : I do not find anybody coming up from the non-party people to speak. Now Mr. P. K. Narayana Pillay may speak.

(At this stage several members including Mr. Thiraviyam Nadar stood up. He said that he belonged to no party and that he should be allowed to speak.)

DEPUTY PRESIDENT : I must make it very clear that there is no undertaking on my part to call upon either a party man or a non-party man. So long as there is such a large number of members and the time is limited, every member of this House may not get a chance of speaking. So far as Mr. Nadar is concerned, I did not see him standing up at any time before this. So at this late stage when the discussion is coming to a close, after I have announced that party members will be called up, I am sorry, though seeing that Mr. Nadar is the youngest member of the Assembly, I am not able to give him an opportunity. Mr. P. K. Narayana Pillai will speak.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : In view of the invitation from the Chief Secretary to which I feel in courtesy bound to respond.

MR. M. SIVATANU PILLAI (*Tovala*) : Louder, please.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Sir, in view of the invitation from the Chief Secretary to which I feel bound to respond in courtesy, I wish to offer a few observations.

DEPUTY PRESIDENT : No; I do not think he has invited the member.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : He has invited the opinion of the members of this House and it is in response to that I am speaking.

DEPUTY PRESIDENT : He has no right to do that. The Chair invites Mr. P. K. Narayana Pillai.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I feel all the more bound to speak. I beg to place a few observations on the Report of the Committee which enquired into the question of recruitment to public services. One thing I admit, that is to say, there is considerble evidence of much malaise and discontent, in regard to the question of recruitment to the public service. If it is possible to eradicate that discontent, by any fair means, certainly it must be applied and the result tested. The Committee appointed to go into this question has submitted a report which, I fear, may not prove satisfactory to all alike.

[Mr. P. K. Narayana Pillai]

It is evident from the number of dissentient minutes appended to the Report that the learned members have been fighting like Kilkenny cats over the subjects referred to them. Even the views put forward in the majority report may seem to be considerably shattered by the dissentients and have been weakened by the process adopted by the majority, who seem to have been in fear of being beaten by the dissentients. In fact, their procedure has been like this. They started with certain *a priori* resolutions, settled in advance, qualified the same by a series of compromises and then amplified the points of view which the Committee thought they would conveniently put forward. Such a procedure, I need hardly say, is jejune and weak-kneed, so much so, the various aspects of the questions involved in the discussions have not received anything like adequate appreciation in the deliberations of the Committee.

Two principles have guided the Committee, one the principle of efficiency and the other the principle of communal representation. As may be seen from the attempt at compromise at each step, the majority forming the Committee may be seen to lack the courage to decide the questions left to them. Their anxiety was to present as broad a front as possible under the circumstances. That is not really facing the questions, but trying to avoid some of the questions for the purpose of unified appearance. Of the two principles discussed, the majority as well as the minority are agreed that efficiency as an ideal may be worshipped. The majority, which stood out for efficiency, found that the minority was also prepared to go with them to that ethereal standard. The minority, who pressed for communal representation, found that the majority was ready to support them in the practical field. Now, these two principles are really dissimilar if not antagonistic, but this is what the Committee seems not to have realised.

With regard to the question of efficiency, it is as a principle in the abstract, quite commendable as has been enunciated by the greatest philosophic statesmen in the world. The members of the League of Nations, as may be seen from the discussion upon the question of the Minorities Protection Guarantees fought against the idea of positive privileges for minorities in the make-up of heterogeneous States; the privileges if any, that the minorities are entitled to, it was said, are privileges of a negative character. That is to say, they would not be disturbed in the matter of their racial relations, language, religion, culture and things like that. These are the negative privileges that the leading lights of statesmanship were prepared to concede in favour of minorities. The representatives of the United States of America, France and England spoke in that strain. I need hardly add that they are statesmen of the A (I) type.

All the same we find when we came to India, English politicians had to recognise what is known as communal classification. We saw, in Madras, how that aspect had been developed by the members of the

Justice Party. The Committee relies strongly upon the examples of two bodies (1) the Madras Government and (2) the Mysore Government. In Madras, I was glad to hear from Mr. Chidambaram Pillai that with the dominant party, the non-Brahmin party, there is a great ebb in the play of communal representation and that even Brahmins are eligible members of the major party to carry on the administration. As regards Mysore, the Miller Committee's Report, which has been so much referred to, I understand, has been scrapped by the present Dewan of Mysore. So, the two precedents upon which communal representation was sought to be rested, do not exist at present, except as dead instances. All the same, Sir, in Travancore there is a cry for communal representation. Now various grounds are put forward, various arguments are advanced to make out the case for communal representation. One of them is that appointments under Government are stations of power and influence. That is, however, to say the least of it a reason why communal representation should be discountenanced. When this Committee, whose report we are considering, asked for my opinion, I told that they should not merely be a committee. If your labours are to be crowned with success, I would suggest your labours should be widened. That is to say, the other aspect of the question, how the Government should be advised to set about to dislodge and displace persons from public service, should form a serious chapter in the enquiry. In this connection and for this very reason, I suggest that safety demands the castration of all propensities of communal one-sidedness in officers in the exercise of their powers. In the light of the underlying idea of power and influence, one can understand the object with which the clamour of communal representation is being put forward. On the other hand, the attempt ought to be that any officer who is found to have swerved from his path or who is found to be incompetent, should be weeded out. One of the main attractions that Government service offers is that, once you are within the fold of Government service, you are in an entrenched position. This morning, I asked Mr. Statham what action was taken on a false report made to him. He asked what action was there to be taken on it. This is the sort of immunity of an officer employed in the Government service. If he is attacked by an outsider, you will see the whole Department at his back to support him. If you raise the question of the rudeness of an Inspector of Police, you will find the whole pack of Policemen would be in full swing to support him. (*Hear, hear*). Therefore, as a matter of course, you will find Government servants not doing their work as they ought to do. If a person who has passed science subjects is reported as a history graduate for the purpose of securing an examiner's post, the Director of Public Instruction is not prepared to notice the mischief in the report before him. Was it purposeful? Was it a mistake? These questions the Director of Public Instruction would not ask himself. Mr. Statham, who is a disciplinarian of the first class type, was asking me what was there to enquire.

MR. R. M. STATHAM (*Director of Public Instruction*) : A personal explanation, Sir. I did not say that.

DEPUTY PRESIDENT : I want to observe, Mr. P. K. Narayana Pillai, any personal remark in dealing with this subject is unnessary. You are only speaking on the advantages of being in Government service.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : He showed a certain amount of indifference in the matter.

DEPUTY PRESIDENT : The member has liberty to take due action in those circumstances.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Probably, Sir, I shall be very glad to hear of it. That is one thing. Here is a great advantage.

Then there is the attraction of pay. We are living in a period of deep economic depression and there is the great question of the unemployment of the educated people.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : Is the learned member in agreement with my view ?

DEPUTY PRESIDENT : That certainly is not a question. The member who put that question will know in time whether he agrees or not.

MR P. K. NARAYANA PILLAI (*Ambalapuzha I*): The educated people are pressed so hard as to pledge their degree to secure some Rs. 20 per mensem under Government and get along smoothly, instead of going on for the uncertainties of professions, cultivation or trade. That is the position. The unemployment problem is a very big problem confronting not only Travancore but the rest of India and other parts of the world also. In the convocation address delivered at the Calcutta University in 1933, Sir Hussain Suhrwardy observed that the rushing and jostling of candidates at the portals of preferment are so great that it is high time that the Government should devise some other standards for recruitment to the public service, than the exclusive tests of University Degrees. That is the result of the spread of education. Thus there is considerable unrest on account of this question among the educated people generally. But the communal colour is what I really fail to understand. It is the individuals that the State has to deal with. If one goes into Government service on the ticket of his community, he is sure to feel a sneaking sympathy for his community; and however much he may disguise it, it will come into play whenever he finds it quite opportune. (*Hear, hear*). That is one aspect. Further the complications created by a person who enters public service with a ticket from his community are equally great. We have seen, for instance, Sir, that where misbehaviour had to be dealt with in the case of officers in Government service, the community concerned would rise in a body as it were to support the delinquents and to contend that they should not be dislodged, degraded or even transferred. That is another trouble. Service is really a contract between an individual and the State, and it should certainly continue in that state, that is to say, as a contract between the particular individual and the State

Any other idea when infused into the mind of the successful candidate would be destructive of discipline and is likely to pervert even straightforward employees into undesirable directions. These are some of the difficulties that I feel in regard to communal representation.

At the same time, I may sumbit that I am not against the admission of any member of any one particular community into Government service. Sir, all these years, I have been repeating the formula that the accident of birth in any one particular community should neither be a qualification nor a disqualification for admission to public service. To that extent, I have always gone, and am still prepared to go. Within the limits of that rule, various cases may arise. They should be very carefully analysed and dealt with. If, as a matter of fact, therefore, the members of any one particular community find themselves stopped at the gates of any appointment, it is certainly necessary that they should all be let in and the obstacles removed. Further, the present standard for recruitment to public service, if it is found to work any hardship to any community, may be revised so that all communities should get equal opportunities for entry into public service, on their satisfying the standard adopted. I am sure, Sir, that, in Travancore, quite apart from communal consideration, any number of suitable and efficient hands may be had from all communities. It must be admitted that all the communities in the State have got sufficient diffusion of education among themselves in order to qualify them for entry into Government service. Still they fight shy of a competitive examination and consider it a bug-bear. I am surprised to find them saying 'Please do not institute competitive examinations: give us representation according to the number in our community; do not bring in maximum efficiency or any such consideration; we cannot successfully compete with other communities in examinations'. Sir, what is efficiency? I referred to what Sir, Hussain Suhrwardy has stated in his Convocation Address. It need not be confined to one exclusive test, namely, the holding of a University Degree or Diploma. In the case of the Police Department, for instance, a man with fine sinews, good manners and moderate education is certainly more suitable than another with mere University qualification. Such persons may be found in all communities, in Mr. Abdur Rahiman's community or in Mr. Kunjuraman's community or in my community.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സമുദായപ്രാതിനിധ്യത്വം സ്വീകരിച്ച് ഉദ്യോഗം കൊടുക്കണംഎങ്കിൽ മറ്റുസമുദായങ്ങളിൽ ചേൎന്നാൽ എളുപ്പം ഉദ്യോഗം കിട്ടുമെന്ന് കരുതി അതിൽ ചേരുകയും ഉദ്യോഗം കിട്ടിയതിനു ശേഷം ആദ്യത്തെ സമുദായത്തിലേക്ക് തിരിയെ വരികയും ചെയ്യുന്നതിന് സൌകൎയ്യമുള്ളതുകൊണ്ടു് സമുദായങ്ങൾതമ്മിൽ സമാധാനലംഘനം ഉണ്ടാകാൻ ഇടയില്ലേ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Though it may not lead to a breach of the peace, it may probably lead to something like ratting by a man leaving one community for another and then going back to the original community after securing the advantages of communal representation. Such things may probably take place, if communal representation is made such a paying game.

Even in regard to efficiency, Sir, certain communities have special aptitude for certain kinds of work, for service in particular departments. For instance, Sir, the Ezhavas are specially fitted for work in the Excise Department. Probably, the Ezhava may be given preference there, especially in the lower grades.

MR. C. V. KUNJURAMAN (*Nominated*): ദേവസ്വം ഡിപ്പാർട്ടുമെൻറിൽ ക്ലാക്ക് ഉദ്യോഗത്തിനായിഈഴവരെയും നിയമിച്ചുകൂടേ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Government may consider that question also.

DEPUTY PRESIDENT: I am sorry I have to interrupt you, it is time.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): To conclude then, I say Government must frame definite rules in regard to this important matter, taking care to avoid invidious distinction.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, much has been said here about the contradiction between efficiency and communal representation. To me it appears that if efficiency is taken to be the rule, there can be hardly any room for the principle of communal representation.

MR. G. NILAKANTAN (*Nominated*): (*Inaudible.*)

DEPUTY PRESIDENT: There is no use in putting questions in a whispering tone. I must hear the question.

MR. G. NILAKANTAN (*Nominated*): May I know in what efficiency consists?

MR. A. THANU PILLAI (*Trivandrum—Rural*): It is well known what efficiency is, but still I shall attempt to define it. Efficiency I may define as the capacity to do the work entrusted successfully and properly. Why people should be afraid of this term 'efficiency', I am at a loss to see. I do not believe for a moment that the average level of efficiency of the educated people of any one community, in Travancore, is lower than the average level of efficiency of any other community.

MR. E. K. KUNJURAMAN (*Nominated*): സമുദായപ്രാതിനിധ്യം വേണമെന്നു പറയുന്നതല്ലാതെ എഫിഷ്യൻസി വേണ്ടെന്നു ആരെങ്കിലും പറഞ്ഞിട്ടുണ്ടോ?

MR. A. THANU PILLAI (*Trivandrum-Rural*): എഫിഷ്യൻസിവേണ്ടെന്നു് പ്രത്യേകിച്ചു് പറഞ്ഞിട്ടില്ലെങ്കിലും അതിൽനിന്നും അൎത്ഥമാക്കേണ്ടതു് എങ്ങിനേയായാലും സമുദായപ്രാതിനിധ്യം വേണമെന്നാണു്. അതു് ശരിയല്ലെന്നാണു് എന്റെ അഭിപ്രായം.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Is there any proposal in the Report which works against efficiency?

MR. A. THANU PILLAI (*Trivandrum-Rural*): If the proposals of the Committee are accepted as they are, to me it appears that we would be sacrificing efficiency to a very large extent,—not according to the present standard of efficiency in public service, but according to proper standards of efficiency as it ought to be. I must say, in this connection, that it seems to be taken for granted by some people, by some members of the Committee of which I too happened to be a member, that, even at present we have sufficiently efficient public service in this State. I want this House to realise that, to me at any rate, that is far from the truth. So far as my experience goes, the way in which the various departments are working here goes to show that our public service is not at all efficient. That is my strong conviction based on my own experience. I venture to state that all the departments can be worked much more efficiently than at present. I am of the opinion that, considering the present state of education in Travancore, it must be possible, if only recruitment is made properly, to work the various departments of the State much more efficiently than at present.

MR. K SANKARAN (*Kartikapalli I*): Does the member suggest that the present want of efficiency in public service is due to the principle of communal representation being adopted in the matter of recruitment?

MR. A. THANU PILLAI (*Trivandrum-Rural*): My statement has very little to do with communal representation.

I wish to make clear one more point also. Sir, till about 10 or 15 years ago, every one who passed out of the colleges or schools was able to get some job or other under Government. There were more appointments under Government than there were qualified hands in the country. The question of holding competitive examination among the qualified hands and choosing the best from them did not, therefore, arise at all in those days. There was more demand by Government than there was supply in the country. But, on the other hand, now, the supply is far in excess of the demand. There is practically very little opening in Government service considering the large number of young men and women coming out annually from the portals of our colleges with high University qualifications. We can therefore choose the best men now and tone up the efficiency in service. On account of the want of the necessary number of hands for proper selection, in the past, our service has gone down in efficiency. I say, this is the proper time for us to tone up efficiency by selecting the best hands from among the numerous qualified hands now anxious to get into Government

[Mr. A. Thanu Pillai.]

service. That is the reason, at any rate so far as I am concerned, why competitive examination for recruitment to public service is now being recommended, and not because certain communities, hitherto in the background, are now coming forward with their claims for representation in service. Suppose we want 10 men and there are only 10 men available with the minimum qulification. Government have no other go but to appoint all of them, whether they are all efficient or not. But if we have 10 vacancies and there are 100 qualified hands, that is just the reason why we must hold a competitive examination and recruit the best 10 from the 100. That is my position. That is a sound proposition, especially considering the present uniformly high level of average efficiency in all communities in the State. As Mr. P. K. Narayana Pillai rightly observed, public service is a contract between the individual and the Government and not between the community of the individual and the Government.

MR. E. K. KUNJURAMAN (*Nominated*): എല്ലാ സമുദായക്കാൎക്കും ഇന്നത്തെപ്പോലെയുള്ള വിദ്യാഭ്യാസസൌകൎയ്യം മുമ്പു ഉണ്ടായിരുന്നോ?

MR. A. THANU PILLAI (*Trivandrum-Rural*): At present, the facilities for education are absolutely the same for all the communities in the State. That is what I find. I must not be considered to be hostile to any community. That is far from my intention. In my dissenting note in the Report of the Committee ———

DEPUTY PRESIDENT: I suppose, you mean the dissenting note of Mr. A. Thanu Pillai who was a member of the Public Service Recruitment Committee.

MR. A. THANU PILLAI (*Trivandrum-Rural*): I certainly refer to my dissenting note as member of the Committee. Whether I am here or there, the individual is certainly the same, Sir.

What I have suggested is that we must first get, every year, from the Account Officer or the Financial Secretary, an idea of the number of vacancies that may arise in the year. Suppose it is 200. We must hold a competitive examination. Suppose 1,000 persons sit for the examination. We must choose the best 400 among them, that is twice the number of hands actually required. Out of this 400, we must recruit according to the principle of communal rotation suggested by the Committee. In doing this, you will not be sacrificing efficiency at all. On the other hand, what the majority of the Committee have recommended is that, among the 1,000 candidates, if the first chance in the rotation, is that of a Nayar, he must be appointed; but if the Nayar happens to be thousandth in the examination, merely because, according to the rotation, the vacancy goes to the Nayar community he should not be preferred. I am certainly against such a course, because it undermines efficiency. As I said, if you want 200, choose the first 400 from among the 1,000 and declare them as eligible for appointmten .Out of that four hundred you select according to rotation.

One more word about the recommendation in the Report of the Committee for which I assumed the responsibility—that is about the aided schools affair. I would very briefly refer to that. I was responsible for the recommendation of the majority that, if communal representation is conceded in the case of departmental school masters, then that should be taken into account in the matter of aided schools also. That Mr. MacAlpine has supported my position can be seen from the Report which I believe my friends will be kind enough to read. If communal representation is taken into consideration in regard to departmental schools, the suggestion has been made that it should not be applied in the case of aided schools. My argument for including the aided schools is this. The aided schools, especially the Malayalam aided schools, are practically run with Government grants. I believe Mr. Statham will concede that. If a school is established in a particular place, the management gets the monopoly. No other school is established there and, after all, where is the justification for making it communal? Mr. MacAlpine admits that these aided institutions are run on communal lines. I do not want communal representation there, but I do not at the same time want a particular community to be in a position to deprive other communities from running denominational schools. Let there be a competitive examination so far as the aided schools are concerned. Let the Department or the Public Service Commission, if it is to be appointed, prepare a list of candidates in accordance with their merit Let the Director of Public Instruction issue licenses to these men as teachers. It should be insisted upon that only these licensed teachers should be entertained in the aided schools. But now the teachers are first entertatined by the management and licenses are issued to these teachers.

DEPUTY PRESIDENT: Order, order. Now, the leader or any member of the Independent Party may speak. I find two gentlemen, Mr. A. Easwara Pillai and Mr. Pacode A. Narayana Pillai standing up. As I am informed that both of them belong to a particular party, it is for those gentlemen to come to an agreement as to which of them should speak. I believe Mr. Narayana Pillai is the leader of the Independent Party?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*). Yes, Sir.

Sir, the question of public service in Travancore and the clamour of the various communities for a place therein is a question which is bristling with very many difficulties. It is liable to be misunderstood and it is also liable to be mis-handled, so that one has to be very circumspect and very very careful in dealing with the question.

At the very outset, I want it to be understood that I, for my part, am quite prepared to do justice to all the communities according to their standing and merit. Now, we have been treated to a very interesting discussion on the question of public service in Travancore. Now, Sir, what is wrong with the public service in Travancore? I fear that we have been approaching this question from a wrong perspective. The real difficulty regarding the recruitment to the public

[Mr. Pacode A. Narayana Pillai.]

service arises from this circumstance. Some years ago, say a quarter of a century ago, the area of recruitment was rather limited. Probably on account of certain traditions and historical causes, the area of recruitment was confined to certain communities alone. But on account of a very enlightened and progressive policy pursued by our benign Government for the last quarter of a century and more and thanks to the fact that the education in this period has spread far and wide, the area of recruitment has become very very wide, so much so, that with the limitations imposed upon the requirements of public service, we find it impossible in practice to meet the claims of all the communities who are aspirants for places in the public service. That is the real difficulty.

It is true that some twenty-five years ago there were disabilities for certain communities. They could not get admission into the schools. That has been referred to in the Report also. So, these communities were behind all the other communities in point of education. But, Sir, I assert that all those disabilities have now been entirely removed. No obstacle is now thrown in the way of any particular community, let it be a community which is said to be the lowest in the social scale.

DEPUTY PRESIDENT: You are repeating what other members have already given expression to.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I submit that absolutely no disability exists in the matter of any community getting opportunities. So, there is no inequality of opportunities in the matter of getting oneself qualified for a place in the public service.

Sir, it is not by devising a method of communal representation at the cost of efficiency that we can successfully tackle this problem. That will never be a feasible method. The question was put as to what efficiency means. I say efficiency is efficiency. All those qualities in an individual which go to make him a successful public servant are comprehended in the term "efficiency". It is not academic qualification alone; it is not character alone. It is not technical qualification alone but it is all these qualities put together.

MR. G. NILAKANTAN (*Nominated*): Does it include honesty?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Certainly. It is that efficiency that is required and that has to be imposed as the only safe and sound method in the matter of recruitment to public service.

How to get out of this difficulty is the question. I offer some suggestions with regard to this matter. It is not by the Government attempting to satisfy all the communities in the State that we are going to solve this problem. If the Government were to attempt such a method, they will never be successful. On the other hand, what I would submit is that the remedy has to be sought for elsewhere.

DEPUTY PRESIDENT: You have only three minutes more.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): First of all, I would submit that this public service should be made, as far as possible, least attractive. Now, when we compare the various occupations open to a man, both public service and other forms of service, we find that the public service offers the most attractive, the most remunerative, the most profitable place for an individual. I would submit that this is one reason why there is such a scramble, such an unseemly rush on the part of educated gentlemen to get a place in the public service.

DEPUTY PRESIDENT: That does not arise, Mr. Narayana Pillai.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Secondly, I would submit that the Government should try to tackle successfully the problem of unemployment in the country, especially the problem of the educated unemployment. They should try to launch more schemes for the industrialisation of the country, start industrial concerns either under the auspices of the Government or encourage private enterprise, if that is forthcoming. That will give a sort of relief, a diversion, as it were, and at least a portion of the best elements in the community will be drawn away from, and their attention will be diverted from, the public service, which is now the only field open to an educated man, to other forms of service.

Thirdly, Sir, I would suggest, in order to purify the public service, and to satisfactorily solve this problem, that the agency for the recruitment to the public service has to be thoroughly overhauled. The present method of leaving it to the discretion of the various heads of departments, who may or may not follow the dictates of their conscience and justice, is not a good method. That is not a scientific method. That is not a method which is found to be satisfactory in its actual working. I would like to talk at some length on this but unfortunately though a good deal of time was taken by the Honourable members at the beginning of the discussion,—

DEPUTY PRESIDENT: The member must withdraw his statement about the time taken by other members. Are you prepared to withdraw that statement, Mr. Narayana Pillai?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I withdraw that statement, Sir.

There is an important recommendation in the Report relating to the appointment of a Public Service Commission. I did not find many of my Honourable friends refer to that question.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Was it not due to the fact that there was no time for the members to come to that point which came last in the Committee's recommendations?

DEPUTY PRESIDENT: I do not see how Mr. Paramesvara Aiyar is entitled to make any observation. It is not a personal explanation nor is it a question. So, Mr. Narayana Pillai need not answer that.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): One word with regard to the establishment of some agency, call it the Public Service

[Mr. Pacode A. Narayana Pillai.]

Commission or some other commission. Whatever it is, it should be an impartial and independent body above all considerations of community and self-interest; it should be a body which will always uphold the principle of efficiency in the best interests of the State.

DEPUTY PRESIDENT: The official member in charge will now speak.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, the clock is going to strike five.

DEPUTY PRESIDENT: The official member need not worry about that at all. He may have as much time as he wants.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Thank you, Sir; but I do not wish to take much time of the House. All that I wish to say is this. We have listened to as many as twenty-one speeches on this difficult and complicateed question of recruitment to public service in the course of these two days -twenty-one speeches setting forth, I think, twenty-one or even more points of view. I do not wish to add to the various opinions expressed here. When the Government received the Report of the Public Service Recruitment Committee, I must say that they were somewhat bewildered because they found that, out of the 12 members on the Committee, as many as 9 signed the Report with dissenting minutes. That means that at least ten different views, 9 dissenting minutes and one common view of the other three members, were expressed in that report. And now, after listening to the discussion on the floor of this House for these two days, I must admit that Government feel still more bewildered. They thought that this cloudy question would get clarified but, I am afraid, we are not anywhere nearer the solution of this problem today than we were yesterday morning.

As I said yesterday, when I made the motion for the supplementary grant, Government have not yet made up their mind on this question one way or the other. They wanted to know the views of the Honourable members of this House and they have had the views of as many as 21 members.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Will the member say on behalf of Government that, seeing some of the members have not been able to express their opinion and the opinions of some other members have been half expressed, they will be permitted to send their opinion in a written form?

DEPUTY PRESIDENT: I disallow that question.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I can assure the Honorable members that, the views they have expressed on the floor of this House and they may express in other ways will all receive due consideration.

I do not wish to detain the House any longer; but I must remind the Honourable members of my motion. In all the heat and

enthusiasm generated during the last two days, the Honourable members may probably have forgotten my motion for a supplementary grant of a paltry sum of Rs. 245 for payment to the staff engaged by Mr. Thommen. I hope the Honourable Members will sink their communal differences on this question and vote for the Demand unanimously.

MR. K. R. ELENKATH (*Kalkulam I*): I would like to know the assurance of the Chief Secretary on the subject before the demand is put to vote.

DEPUTY PRESIDENT: You cannot put that question. The Chief Secretary has sat down.

The Demand was put to vote and unanimously carried. The grant was made.

The House rose at 3 past 5 and adjourned to meet again on Monday at 11 A. M.

K. MADHAVA KURUP,

Secretary to the Sri Mulam Assembly.

PROCEEDINGS
of
THE TRAVANCORE SRI MULAM ASSEMBLY.

OFFICIAL REPORT.

FIRST ASSEMBLY.

SECOND SESSION.

Monday, the 28th May 1934/15th Edavam 1109.

The Assembly met again in the Victoria Jubilee Town Hall at Eleven of the clock, the President presiding.

NEW MEMBERS SWORN IN.

Mr. Joseph Panjikaran (*Nominated*) was sworn in and he signed the Rolls.

QUESTIONS AND ANSWERS.

PRESIDENT : I suppose I will begin by reminding the House that there are not less than 113 questions on the agenda today to be answered. If the House is so minded, it can somehow increase its speed.

Veterinary Hospitals in the State.

297. ***MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state how many Veterinary Hospitals there are in the State ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): There are five Government Veterinary Hospitals and ten Government Veterinary Dispensaries, besides five grant-in-aid Veterinary *Vaidyasalas* and dispensaries.

MR. S. J. NAIR (*Nedumangad*) : May I know whether there is any hospital or dispensary or grant-in-aid dispensary in the Nedumangad taluk ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : There is none.

MR. S. J. NAIR (*Nedumangad*) : May I know whether Nedumangad is not an agricultural taluk and a dispensary is required there ?

PRESIDENT : You are asking for opinion.

Education in the Nedumangad taluk.

298. ***MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state :

(*a*) whether the Nedumangad taluk is a backward area in point of education in the State ;

G. P. T. 1728. 350. 6-12-1109.
Vol. II. No. 12.

[MR. S. J. NAIR.]

(*b*) the population of the taluk ;
(*c*) the number of literates in the taluk ;
(*d*) the number of children in the taluk who are of school-going age ;
(*e*) the number of children in the taluk who attend the schools ; and
(*f*) the number of Government institutions in the taluk?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) Yes.
(*b*) 1,57,312.
(*c*) 27,662.
(*d*) 21,276.
(*e*) 14,259 at the end of 1108 M. E.
(*f*) 24.

Paddy lands inside the Vamanapuram Reserve.

299. ***MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state :

(*a*) whether they are aware that sufficient lands are not given in registry to the holders of registered paddy fields inside the Vamanapuram Reserve ;

(*b*) whether lands to the extent of not less than two chains width are given in registry to the registry-holders of paddy fields inside the Kumil Reserve in Kottarakara taluk ;

(*c*) whether the holders of paddy fields inside the reserve forest are not permitted to collect green manure from the forest ;

(*d*) whether permission could be granted to collect green manure from the Reserve Forest ; and

(*e*) whether they are aware of the difficulties of the people who hold paddy fields inside the Vamanapuram reserve ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : (*a*) Sufficient dry lands are left as margin around the various wet lands inside the reserve.

(*b*) The margin left in respect of the enclosures in the Kumil reserve may in some places be more than two chains wide, while in some others it may be less. There is no hard and fast rule to allow two chains width in all such cases.

(*c*) No such permision is granted.

(*d*) No, except from reserves set apart for the purpose.

(*e*) No, except the facts contained in a petition forwarded by the member to Government.

MR. S. J. NAIR (*Nedumangad*) : With regard to answer to part (*c*), may I know whether the collection of green manure was permitted under license ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : I claim notice.

Weaving Schools in the Nedumangad taluk.

300. **MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) how many weaving schools there are in the State;

(*b*) the amount allotted for giving grant-in-aid to the weaving schools under the Industrial Department in 1105, 1106, 1107 1108 and 1109 M. E.

(*c*) the number of weaving schools in each taluk in the State;

(*d*) whether a taluk-war statement showing the total number of weaving schools existing in the State, the number that receives grant-in-aid and the respective amount of the grants given would be placed on the table;

(*e*) how many weaving schools there are in Nedumangad taluk; and

(*f*) how many weaving schools are given grant-in-aid in Nedumangad taluk?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): (*a*) 67.

(*b*) 1105	...	Rs. 20,000
1106	...	Rs. 20,000
1107	...	Rs. 21,030
1108	...	Rs. 14,500
1109	...	Rs. 15,000

(*c*) Agasteeswaram	taluk	2
Kalkulam	,,	3
Vilavankod	,,	5
Neyyattinkara	,,	22
Trivandrum	,,	6
Nedumangad	,,	3
Chirayinkil	,,	6
Quilon	,,	2
Mavelikara	,,	2
Changanachery	,,	2
Tiruvalla	,,	3
Kottayam	,,	2
Shertala	,,	4
Vaikam	,,	1
Ambalapuzha	,,	1
Kunnatunad	,,	2
Minachil	,,	1

(*d*) The *statement required is placed on the table.

(*e*) 3.

(*f*) 2.

MR. M. N. NAIR (*Kottayam I*): May I know whether there is any special reason for the Neyyattinkara taluk having 22 weaving schools?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Neyyattinkara taluk is a very important weaving centre and so there were several weaving schools in the neighbourhood. Now we are not giving permission to open more schools there. We are spreading the schools in all taluks as far as possible.

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* *Vide* Appendix I.

Koran teachers.

301. *MR. K. MAHOMED (*Alwaye*) : Will the Government be pleased to state :

(*a*) whether there are Koranic Instructors in all the special Muslim Schools for Girls at present;

(*b*) if not, why; and

(*c*) whether any endeavour is being made by the Department to reduce the number of the unrecognised Koranic schools called Maktabs ?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) There are Arabic Munshies in Special Muslim Schools for Girls under Departmental management, and Koranic Instructors in such schools under private management.

(*b*) In view of the answer to part (*a*) of the question, this does not arise.

(*c*) Yes.

Reduction of the import duty on Ceylon cocoanuts, copra and oil.

302. *MR. S. J. NAIR (*Nedumangad*) : Will the Government be pleased to state :

(*a*) whether there is reduction of import duty for Ceylon cocoanuts, copra and cocoanut oil ;

(*b*) the amount of reduction ;

(*c*) the amount of import duty for 1928, 1929, 1930, 1931, 1932, 1933 and 1934, respectively ;

(*d*) the cause for the said reduction ; and

(*e*) who is responsible for the reduction ?

MR. C. O. MADHAVAN (*Excise Commissioner*) : (*a*) Yes, in respect of duty on copra and cocoanut oil, but no reduction in the duty on cocoanuts.

(*b*) In the case of copra, it would come to 3 annas, 2 pies per cwt., and in that of cocoanut oil to 12 annas per cwt.

(*c*) A *statement showing the amount of import duty for cocoanuts, copra and cocoanut oil during the years 1928 to 1934 is placed on the table.

(*d*) The reduction in duty is due primarily to the reduction of the tariff values of the articles in question and partly also to the reduction in the rate of duty.

(*e*) The duty is fixed by the Government of India.

MR. S. J. NAIR (*Nedumangad*) ; May I know from what time the tariff value has been fixed ?

MR. C. O. MADHAVAN (*Excise Commissioner*) : Tariff value is revised every year. The latest value is that fixed at the commencement of the year 1934.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : What is the import tariff value of copra in British India now ?

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*Vide Appendix II.

MR. C. O. MADHAVAN (*Excise Commissioner*) : Rs. 9 per cwt.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know what is the rate of duty?

MR. C. O. MADHAVAN (*Excise Commissioner*) : 20 per cent.

Statement of partition deeds.

303. ***MR. V. K. VELAPPAN NAIR** (*Vaikam*) : Will the Government be pleased to lay on the table a statement showing the total number of partition deeds registered between the years 1100 and 1108 (both inclusive) in the State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : A *statement furnishing the information is laid on the table.

The Stationary First Class Magistrate at Changanachery.

304. ***MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*) : With reference to Government Notification R. O. C. No. 2568/33, dated 18-12-1933, in the Government Gazette of 4-5-1109, will the Government be pleased to state why the Stationary First Class Magistrate at Changanachery refuses all petitions and complaints presented to him?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : For the reason the Court was established only to work off arrears in the Kottayam Division First Class Magistrate's Court, in the Taluk Second Class Magistrate's Court, Changanachery, and in the Stationary Magistrate's Court at Ponkunnam.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : When the arrears are cleared here, is there not simultaneous accumulation in those courts?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : I claim notice.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : May I know whether Government is incurring any additional expenditure in allowing Magistrates to entertain new cases?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The First Class Magistrate's Court at Changanachery was specially sanctioned to work off arrears and the Magistrate is doing that. If he is asked to take fresh cases also, the arrears will accumulate in his court.

Transfers of Vernacular School Teachers.

305. ***MR. T. KRISHNA PILLAI** (*Neyyattinkara II*): Will the Government be pleased to lay on the table a list of the transfers of the Vernacular School Teachers made by the Inspector of Vernacular Schools since the beginning of the current school year, with the following particulars :

(*a*) the names of the teachers ;
(*b*) the *pakuthi* or village to which they belong ; and
(*c*) the school from and to which they were transferred ?

MR. R. M. STATHAM (*Director of Public Instruction*) : The time and labour involved in the preparation of the list are out of all proportion to the possible advantage that may be derived from the collection

* *Vide* Appendix III.

[Mr. R. M. Statham]

of the above information. Government do not therefore propose to call for the list.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether the number of transfers made by an officer forms one of the criteria to test his efficiency?

MR. R. M. STATHAM (*Director of Public Instruction*): Certainly not.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether the officers are asked to assign reasons for making so many transfers?

MR. R. M. STATHAM (*Director of Public Instruction*): In the case of English School teachers, yes. In the case of Vernacular School teachers, no.

MR. T. K. VELU PILAI (*Trivandrum-Urban*): Is there any rule in the department that, so far as it is possible, teachers may be kept only in their native places?

MR. R. M. STATHAM (*Director of Public Instruction*): There is no such rule although officers have been advised in that way.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether there is not a list kept by the Inspector of Vernacular Schools showing such transfers?

MR. R. M. STATHAM (*Director of Public Instruction*): I have already answered that Government do not think it worth while to prepare the list. There are a very large number of transfers in that branch of the department.

Construction of buildings for the Trivandrum District and Munsiffs' Courts.

306. ***MR. T. KRISHNA PILLAI** (*Neyyattinkara II*): Will the Government be pleased to state what steps have been taken by them for the construction of suitable buildings for the Trivandrum District and Munsiffs' Courts?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): As Government are not in a position to ear-mark the funds required for the purpose just at present, no steps towards the construction of the buildings have been taken.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether Government are aware that the Civil and Criminal Courts in the town of Trivandrum are situated at different corners of the town?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Government know exactly where they are situated.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether Government are not aware that Vakils who practise in both Civil and Criminal Courts are put to a lot of inconvenience and it also necessitates dislocation of work in the various courts?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I am not in a position to answer.

MR. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether Government are convinced of the need for the reconstruction of the buildings?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): Are the Government aware that various representations have been made in the old Sri Mulam Popular Assembly regarding this?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes.

MR. S. J. NAIR (*Nedumangad*): When the work of reconstruction of these buildings is taken into consideration, may I know whether Government would see that all these court-houses are located in one place?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): That will be considered.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know whether there was a scheme some time back to reconstruct the buildings?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): I claim notice.

Repair of two chiras in the Mavelikara taluk.

307. * **MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state the steps taken by the Chief Engineer on my letter dated 4-6-1109 regarding the immediate repair of Kottakkonam *chira* and the Nelpurakkadavu *chira* in the Mavelikara taluk?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): An estimate has been submitted by the Executive Engineer, Quilon, for forming the flood bank on the left bank of the Achenkoil river. As this alone would not be an effective preventive against floods, the Chief Engineer has called for further proposals. As for Nelpurakkadavu *chira*, the bund has been put up.

Technical Institutes.

308. * **MR. J. M. JOSEPH** (*Nominated*): Will the Government b pleased to state how many institutes simlar to the S. M. R. V. Technical Institute, Nagercoil, are run by the Government and where they are?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Five institutions, *viz.*,

(1) School of Arts, Trivandrum.
(2) Central Technological Institute, Trivandrum.
(3) S. M. T. School, Trivandrum.
(4) Carpentry School, Quilon,
(5) School of Commerce, Alleppey.

Besides the above, some cottage industries, such as Dyeing and Printing, Durrie and Carpet-making, Tanning and Rattan-work, are also taught at head-quarters.

MR. J. M. JOSEPH (*Nominated*): May I know whether there are institutes run by private agencies in the State?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): There are many institutions run by private agencies.

MR. J. M. JOSEPH (*Nominated*): May I know from the member whether they get grant-in-aid from Government?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): Some of them do get.

Approach road to Vamanapuram Disp nsary.

309. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether there is an approach road from the M. C. Road leading to the District dispensary at Vamanapuram;

(*b*) what is the length of the road in feet; and

(*c*) whether that road is being maintained by the P. W. D. now?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) 1,150 feet.

(*c*) No.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether this approach road was being maintained before this time by the P. W. D?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether that road is not necessary for patients to go to the dispensary?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes.

Hindi in Travancore.

310. ***MR. S. J. NAIR** (*Nedumengad*): Will the Government be pleased to state:

(*a*) whether Hindi be taught in all the educational institutions in the State;

(*b*) whether Hindi is taught in some of the schools of the State, outside the school hours, with the permission of the educational authorities;

(*c*) whether Hindi is taught in some of the schools, outside the school hours, in Nedumangad and

(*d*) whether any salary or honorarium be not given to the teachers who teach Hindi in schools with the permission of educational authorities?

MR. R. M. STATHAM (*Director of Public Instruction*): No.

(*b*) Yes.

(*c*) Not at present.

(*d*) Yes.

MR. S. J. NAIR (*edumangad*): With reference to the answer to part (*b*), may I know from the member whether the teaching of Hindi could not be made compulsory in all the institutions after the school hours?

PRESIDENT: It is giving an opinion.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether there is not keen agitation in the State that Hindi shall be taught in all the institutions in the State?

MR. R. M. STATHAM (*Director of Public Instruction*): Only a limited number of representations have been received.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether he is aware that a resolution on this matter passed by the previous Council has been accepted by the Government?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): What action has been taken on that?

MR. R. M. STATHAM (*Director of Public Instruction*): The question of introducing Hindi in a number of schools and recognised institutions is under the consideration of the Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether he has received applications from the students of the Sri Mula Vilasam English High School, Trivandrum?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes, I did.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know from the member whether that application was forwarded to the Government?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know when that application was received by the Director?

MR. R. M. STATHAM (*Director of Public Instruction*): About ten days ago.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): May I know from the member whether any orders have been passed upon that?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

Casual leave to the officers of the Education Department.

311. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) how many days' casual leave the officers in the Education Department are eligible for at present;

(*b*) whether the Director of Public Instruction has issued any circular to the effect that only eight days' casual leave need be sanctioned to the officers of his department

(*c*) whether the Director of Public Instruction has made any recommendation to the Government that more than eight days' casual leave should not be granted to those who are in the educational service; and

(*d*) if so, whether the Government have accorded sanction to this recommendation?

MR. R. M. STATHAM (*Director of Public Instruction*) :

(*a*) 14.

(*b*) No.

(*c*) Yes.

(*d*) No.

Mahommedan Inspector of Schools.

312. ***MR. K. MAHOMED** (*Alwaye*) : Will the Government be pleased to state :

(*a*) who was the controlling officer of the Mahommedan Inspector of Schools at first ;

(*b*) when it was that the Mahommedan Inspector was placed under the Director of Public Instruction

(*c*) on what grounds it was considered necessary to place the Mahommedan Inspector directly under the Director of Public Instruction ; and

(*d*) whether the subjection of the Mahommedan Inspector to the control of the Divisional Inspecting Officers will not minimise his importance and power, considering the fact that he is immediately under the Director of Public Instruction now ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

(*a*) The Deputy Director of Public Instruction.

(*b*) 8th November 1930.

(*c*) As the work of the Mahommedan Inspector related to both English and Vernacular Schools.

(*d*) The matter is under consideration.

Office of Mahommedan Inspector of Schools.

313. ***MR. K. MAHOMED** (*Alwaye*) : Will the Government be pleased to state :

(*a*) how many years it is since the office of the Mahommedan Inspector of Schools had been created ;

(*b*) whether it is not owing to the insistent demand contained in the successive representations made by the Muslim community that this office was created ;

(*c*) whether Government and the Department are aware of the fact that the Muslim community look upon this office as the most effective safeguard for the Muslim educational interests in the State and that the Muslim community is keenly interested in the development and growth of this office and

(*d*) whether there is any proposal for the abolition of the office of the Mahommedan Inspector before the Muslim community is brought on a par with the other communities of the State in educational progress ?

MR. R. M. STATHAM (*Director of Public Instruction*) :

(*a*) 14 years.

(*b*) Yes.

(*c*) Government have no information.

(*d*) No.

Koran teachers.

314. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to state:

(*a*) the monthly salary or allowance given to Koran teachers in the Vernacular Schools of the State:

(*b*) whether the pay they receive is permanent or pensionable; if not, why.

(*c*) the grant given to the Koran teachers of the Primary Schools of the State;

(*d*) whether there is any one else in the staff of the Primary School receiving as low a pay or grant as that of the Koran teachers:

(*e*) whether any of the salary revisions in the Education Department in recent years has resulted in giving any relief to these low-paid Koran teachers

(*f*) whether the Education Reforms Committee made any recommendation to give relief to the Koran teachers in the matter of pay;

(*g*) whether Koran teaching is done outside school hours in the Primary Schools of the State:

(*h*) whether the clubbing together of different primary classes of different standards for the purpose of teaching Arabic is effective and practical; and

(*i*) whether there is any proposal to teach Arabic within school hours and without clubbing together different classes of primary schools?

MR. R. M. STATHAM (*Director of Public Instruction*):

(*a*) An allowance of Rs. (10) ten.

(*b*) No, because they are only part-time teachers.

(*c*) Rs. 6 in Boys' Schools and Rs. 5 in Girls' Schools.

(*d*) No.

(*e*) No.

(*f*) No.

(*g*) Within school hours in some schools and outside school hours in others.

(*h*) No.

(*i*) Yes.

The Text-Book Committee.

315. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to state:

(*a*) what were the principles followed in selecting persons to be nominated to the newly constituted Text-Book Committee;

(*b*) whether the efficiency of the Text-Book Committee had been prejudicially affected by the nomination of a Muslim member to it in former years; and

(*c*) if the answer to part (*b*) is in the negative, why the precedent of nominating Muslims to the Text-Book Committee was not followed while constituting the new Text-Book Committee?

MR. R. M. STATHAM (*Director of Public Instruction*):

(*a*) Selection of suitable persons according to subject requirements.

(*b*) No.

(*c*) It is not always possible to represent all sections and communities.

MR. K. MAHOMED (*Alwaye*): May I know from the member whether there was any Mahommedan member in the Text-Book Committee on previous occasions?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. K. MAHOMED (*Alwaye*): May I know whether there is any special reason for depriving him?

MR. R. M. STATHAM (*Director of Public Instruction*): There was only one official member and he was the Assistant Inspector of Mahommedan Schools. Now his full services are required in the office and so he cannot be spared to serve on the Committee.

MR. K. MAHOMED (*Alwaye*): May I know from the member whether it is for want of other qualified hands that none was appointed in the Committee?

MR. R. M. STATHAM (*Director of Public Instruction*): It is for want of Arabic books and not for want of qualified hands.

MR. K. R. ELENKATH (*Kalkulam I*): May I know from the member whether all Arabic books sent up are approved by the Committee?

MR. R. M. STATHAM (*Director of Public Insruction*): This year there was only one Arabic book submitted for approval by the Committee.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether it was approved and, if so, by whom? There is nobody in the Committee who knows Arabic. In that case, I want to know who approved the book?

MR. R. M. STATHAM (*Director of Public Instruction*): The Committee is only an advisory body and the book could have been seen by the Assistant Inspector of Mahommedan Schools or some other expert in the Department.

MR. K. R. ELENKATH (*Kalkulam I*): So it was not approved by the Committee?

MR. R. M. STATHAM (*Director of Public Instruction*): That is so.

MR. K. R. ELENKATH (*Kalkulam I*): Is there a rule that books approved by the Committee should be prescribed?

MR. R. M. STATHAM (*Director of Public Instruction*): There is a rule that books approved by the Committee shall be prescribed. But there is no rule that no other book shall be prescribed.

The Levee Officers.

316. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state who are the levee officers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Officers in Trivandrum drawing a pay of Rs. 350 and above per mensem and also Heads of Departments and Offices the maximum pay

of whose appointment is not less than Rs. 300 are now considered as Levee Officers. Mofussil Dewan Peishkars and the Commissioner, Devicolam, are also included in the above group.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the members of the Legislature are included in the category of the Levee Officers?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

Import duty on Ceylon cocoanuts, copra and oil.

317. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether they are aware of the lowering of prices for cocoanuts, copra and oil in Travancore;

(*b*) if the answer to part (*a*) is in the affirmative, whether it is due to the lowering of the import duty for Ceylon cocoanuts, copra and oil by the Government of India; and

(*c*) whether the Travancore Government are willing to address the Government of India to immediately enhance the import duty for Ceylon cocoanuts, copra and oil?

MR. C. O. MADHAVAN (*Excise Commissioner*):

(*a*) Yes.

(*b*) The fall in the prices of the articles in question is mainly due to the prevailing economic depression. The increasing import of Ceylon cocoanuts copra and cocoanut oil into the British Indian markets, due probably to the lowering of import duty on these articles, has also contributed to the fall in the prices of Travancore products.

(*c*) The Government of India have already been addressed to enhance the import duty on non-Indian cocoanuts, copra and oil.

MR. S. J. NAIR (*Nedumangad*): May I know from the member who is responsible for lowering the import duty on Ceylon copra?

MR. C. O. MADHAVAN (*Excise Commissioner*): The rate of duty was enhanced to 30 per cent. after the Ottawa agreement, and a reduction of 10 per cent. was made in favour of Empire products.

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the Travancore Government was consulted when the import duty was lowered?

MR. C. O. MADHAVAN (*Excise Commissioner*): I claim notice.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether Ceylon has entered in the Ottawa agreement?

MR. C. O. MADHAVAN (*Excise Commissioner*): I am not quite sure.

MR. T. K. VELU PILLAI (*Trivandrum—Urban*): May I know from the member whether there is anybody in the Travancore Government service who has studied the economic problem and is capable of giving advice on such questions to Government?

PRESIDENT: The Commissioner himself.

MR. C. O. MADHAVAN (*Excise Commissioner*): I study the question.

PRESIDENT: You are the technical adviser to Government Is that the answer?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, Sir.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member when the recent tariff value on cocoanuts was fixed by Government?

MR. C. O. MADHAVAN (*Excise Commissioner*): It came into operation from the 1st of January 1934.

MR. K. C. KARUNAKARAN (*Nominated*): When was it decided?

MR. C. O. MADHAVAN (*Excise Commissioner*): Just before that.

MR. K. C. KARUNAKARAN (*Nominated*): May I know whether there is any reason to change the tariff value?

MR. C. O. MADHAVAN (*Excise Commissioner*): It is revised every year in accordance with the variations in the market value.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): May I know from the member whether there is any correspondence between the Travancore Government and the Government of India on the reduction of tariff?

MR. C. O. MADHAVAN (*Excise Commissioner*): I have already answered that. I am not in possession of the information. I claim notice.

MR. E V. KRISHNA PILLAI (*Pattanamtitta*): May I know from the member who thinks himself to be the expert adviser to Government in these matters what time he will take to study to know whether Ceylon has entered into the Ottawa agreement?

MR. C. O. MADHAVAN (*Excise Commissioner*): I may inform the member that, so far as I know, Ceylon is not a party to the Ottawa agreement.

Supply of Bombay Salt.

318. ***MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*): Will the Government be pleased to state:

(*a*) how many tenders were received by Government for the supply of Bombay salt;

(*b*) how many of them were from Travancore:

(*c*) to whom the contract has been given;

(*d*) whether he is a Travancorean;

(*e*) whether the Excise Commissioner objected to the contract being given to him; and

(*f*) what were his reasons?

MR. C. O. MADHAVAN (*Excise Commissioner*): (*a*) Four.

(*b*) None.

(*c*) Messrs Khan Bahadur H. M. D. H. Bhiwandivala & Co., Bombay.

(*d*) In view of answer to part (*b*), this does not arise.

(*e*) No.

(*f*) In view of answer to part (*e*), this question does not arise.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know from the member whether at any time it was brought to the notice of the Commissioner that the salt supplied by the contractors is bad in quality ?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes ; lately when I was at Parur, a deputation waited upon me and complained that the salt supplied was partly inferior in quality.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): Did the officer make any enquiries ?

MR. C. O. MADHAVAN (*Excise Commissioner*): The very next day I went to Munambam. Some of the members who waited upon me on deputation were also present. I heard both the parties and went thoroughly into the question.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know what was the result of the enquiry ?

MR. C. O. MADHAVAN (*Excise Commissioner*): All the salt supplied was not inferior. A portion of the salt supplied by the contractor was found to be inferior. That was not taken delivery of and was rejected.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*); So, am I to understand that bad salts are also supplied by the contractors ?

MR. C. O. MADHAVAN (*Excise Commissioner*): It may sometimes happen that some portion of the salt supplied by the contractor is inferior. That is never taken delivery of. It is rejected and duty thereon is realised by Government from the contractor.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know from the member whether he has brought that to the notice of Government ?

MR. C. O. MADHAVAN (*Excise Commissioner*): Salt is rejected and duty realised only after obtaining the orders of Government.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether this contractor was found fault with by Government last year also ?

MR. C. O. MADHAVAN (*Excise Commissioner*): It is not a question of finding fault with anybody. If any quantity of salt is found to be inferior, that will be rejected and the duty thereon will be realised by Government. Last year, nearly 320 maunds of salt was rejected at Munambam. They were rejected and the duty thereon was realised by Government from the contractor.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether tenders were called twice this year ?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know the special reasons for calling the tender twice this year ?

MR. C. O. MADHAVAN (*Excise Commissioner*): When the tender was called for the first time, the rates quoted were very high. For the last year it was Rs. 58 and odd. This year—

PRESIDENT: The member does not want all those details.

MR. C. O. MADHAVAN (*Excise Commissioner*): The tenderer offered to quote lower rates if the contract is given to him for two years.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know from the member whether, at any time before this tender was called for, a tender was called for two years?

MR. C. O. MADHAVAN (*Excise Commissioner*): No.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know from the member whether there was any complaint from persons, who had submitted their tender originally, that they did not receive notice of the second tender?

MR. C. O. MADHAVAN (*Excise Commissioner*): No such complaint.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): May I know from the member whether any earnest money was retained at the time when the second notice was called for?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, that was done for the convenience of the tenderers.

MR. S. J. NAIR (*Nedumangad*): May I know whether there was any compulsion to admit any particular tender?

MR. C. O. MADHAVAN (*Excise Commissioner*): No.

MR. S. J. NAIR (*Nedumangad*): May I know whether the choice is left to the officer concerned to accept or refuse any particular tender?

MR. C. O. MADHAVAN (*Excise Commissioner*): Of course, in the tender notice itself there is such a provision.

MR. S. J. NAIR (*Nedumangad*): May I know whether there was any special reason for giving perference to a particular tenderer?

MR. C. O. MADHAVAN (*Excise Commissioner*): He quoted the lowest rate for the best salt.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether a higher rate was offered before than in last year?

MR. C. O. MADHAVAN (*Excise Commissioner*): The rates are different for each year.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether previous to last year, any tender was rejected for higher rate?

PRESIDENT: That goes into the history of the Department. You cannot ask that supplementary question. Supplementary questions should be asked only for the purpose of eliciting such information as from the reply itself does not appear to be quite clear, or to elicit such information which may relate to it. To ask whether, since the starting of the Department, a tender was rejected is expecting the member to go into the details of the Department. To say that it was in the year 1913 that the higher tender was received, etc., is not within the scope of a supplementary question.

Night Schools.

319. *MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : Will the Government be pleased to state :

(*a*) the number of night schools getting Government aid ;

(*b*) the total grant paid to them in 1108 ;

(*c*) who is responsible for supervising and inspecting them ; and

(*d*) whether they are regularly inspected and inspection reports regularly submitted ?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) 31.

(*b*) Rs. 1,713-18-10.

(*c*) The Assistant Inspecting Officers of the respective Districts.

(*d*) Yes.

Labour strike in factories.

320. MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Will the Government be pleased to state :

(*a*) whether they are aware of the constant labour strikes occurring in the factories at Alleppey and Quilon ; and

(*b*) whether Government made any enquiry as to the cause of these strikes ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : (*a*) Government are aware that a few such strikes occurred in Alleppey and Quilon.

(*b*) According to the information, these strikes were reported to have been brought about by the reduction of wages consequent on the abnormal fall in the prices of commodites and the introduction of piece-work system, etc., in the factories..

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : With reference to the answer to part (*a*), may I know from the member how many strikes took place in Quilon and how many in Alleppey in the last year ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : Two and three.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether Government took any action on this after enquiry ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No action was taken.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether anybody is appointed in Quilon or Alleppey under the Factories Regulation to inspect these factories ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No special officer is appointed. The District Magistrate is Inspector of Factories also.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether the District Magistrate, as Inspector of Factories, has, visited any of these factories ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : No.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether every strike is reported to Government ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes; I believe so.

Coir Industry.

331. ***MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*): Will the Government be pleased to state:

(*a*) whether the Secretary of the Alleppey Chamber of Commerce has brought to the notice of the Government that the wilful mixing of sand and moisture with the coir yarn that is being done by some coir makers is becoming a serious menance to the coir industry;

(*b*) whether the Government have taken any steps to check the mal-practice; and

(*c*) what step, if any, they propose to take?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): (*a*) Yes.

(*b*) Government are informed that the practice has more or less stopped and that no action is necessary.

(*c*) The question does not arise.

MR. E. K. KUNJURAMAN (*Nominated*): May I know whether there was any new complaint?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): No new complaint.

Patients treated in the Vaikam District Hospital.

322. ***MR. V. K. VELAPPAN NAIR** (*Vaikam*): Will the Government be pleased to state:

(*a*) the number of patients treated in the Vaikam District Hospital during the years 1106, 1107, and 1108; and

(*b*) the number of female patients treated in the same Hospital in each of those years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) and (*b*) The required information is given below:—

Year.	Men.	Women	Children.	Total.	In-patienist	Out-patients.
1106	11,367	7,223	8,163	26,753	386	26,367
1107	9,933	6,342	7,638	23,913	353	23,560
1108	12,705	8,276	8,902	29,883	564	29,319

MR. V. K. VELAPPAN NAIR (*Vaikam*): With reference to answer to part (*b*), may I know whether it is not necessary to open a separate hospital for women?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government will consider that question when funds become available for the purpose.

Pokkuvaravu cases.

323. *MR. V. K. VELAPPAN NAIR (*Vaikam*): Will the Govenment be pleased to lay on the table a list of the *pokkuvaravu* cases in the State during the years 1101, 1102, 1103, 1104, 1105, 1106, 1107 and 1108 and the number rejected every year?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The list required is laid on the table.

P. W. D. Anchal Office at Aruvikkara.

324. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the Government are aware of the existence of a P. W. D. Anchal Office at Aruvikkara opened there in connection with the Water Works;

(*b*) whether the Anchal Office is at present self-supporting or not;

(*c*) if the answer to part (*b*) is in the affirmative, whether the Government would make the Anchal Office permanent there, and

(*d*) whether the people of Aruvikara and its surrounding places have petitioned the Government to make it permanent there?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) Yes. There is a permanent non-departmental Anchal Office at Aruvikkara opened at the instance of the P. W. D.

(*b*) No.

(*c*) Though the answer to (*b*) is in the negative, the question of continuing the office is being considered.

(*d*) Yes.

The cremation ground at Taikad.

325. *MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Will the Go vern ment be pleased to state;

(*a*) whether the stench from the cremation ground, Taikad reaches the premises of the Women and Children's Hospital, Trivandrum;

(*b*) whether the authorities of the Women and Children's Hospital, Taikad, Trivandrum, have drawn the attention of Government to this;

(*c*) if so, when; and

(*d*) what action was taken by Government?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) It is reported that it does during certain months of the year.

(*b*) No.

(*c*) and (*d*) In view of the answer to part (*b*), these do not arise.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether Government will consider the desirability of preventing this?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes, Government will consider that.

**Vide* Appendix IV.

Circular No. VII of 1915 issued by the Director of Public Instruction.

326. *MR. T. KRISHNA PILLAI (*Neyyattinkara II*): Will the Government be pleased to state whether the Director of Public Instruction's Circular No. VII of 1915 is still in force?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes, subject to the exigencies of the service.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether the circular is now followed by the Inspector of Vernacular Schools?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes, as far as possible.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether the Director of Public Instruction has scrutinised the voluminous transfer list that is kept in the Inspector's Office?

MR. R. M. STATHAM (*Director of Public Instruction*): I have not scrutinised the transfer list, but I have discussed with the Inspector about the necessity for frequent transfers. The member must appreciate the fact that teachers unfortunately die and teachers take leave and that such transfers are inevitable in the exigencies of the service.

MR. S. J. NAIR (*Nedumangad*): May I know whether the Inspector of Vernacular Schools made these transfers in the interest of the teachers?

MR. R. M. STATHAM (*Director of Public Instruction*): The member will presume so.

Flood damages in the Neyyattinkara taluk.

327. *MR. T. KRISHNA PILLAI (*Neyyattinkara II*): Will the Government be pleased to call for and lay on the table a pakuthi-war statement of the different kinds of damages done by the heavy rains and floods in Edavam and Mithunam of 1108, in the Neyyattinkara taluk?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): The statement required is placed on the table.

Electric Street Lighting in the Trivandrum Town.

328. *MR. T. KRISHNA PILLAI (*Neyyattinkara II*): Will the Government be pleased to state:

(*a*) whether the Electrical Department follows any principle in the matter of street lighting with electricity in the town of Trivandrum, and, if so, what it is; and

(*b*) whether they have received any petition from the people praying for the extension of street lighting to the road from the Kowdiyar Palace to the Pattom Palace?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) The Member is referred to the reply given to a similar interpellation during the First Session of the Sri Chitra State Council Vide page 382, Volume 1, No. 6 of the Printed Proceedings of the Sri Chitra State Council.

(*b*) The answer is in the negative.

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* *Vide* Appendix V.

MR. T. KRISHNA PILLAI (*Neyyattinkara II*): May I know whether the Government do not consider the frequent traffic and the plying of the State cars with the members of the Royal Family constitute an important matter to provide this road with lights?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Yes.

Labour strikes at Alleppey.

329. ***MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*): Will the Government be pleased to state:

(*a*) whether they are aware of the repeated labour strikes at Alleppey;

(*b*) whether they have taken any steps to prevent the danger; and

(*c*) if not, whether they propose to take any and, if so, what steps?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The member is referred to the answer to interpellation No. 320.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): In the answer referred to by the member, I doubt whether the answer was given to part (*c*) of my question?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Government did not take any step as no action was considered necessary.

MR. T. K. VELU PILLAI (*Trivandrum Urban*): May I know whether there was any lock-out?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): Government are not aware.

Staff in the Anchal Superintendent's Office.

330. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Governmen be pleased to state:

(*a*) the names of acting graduate clerks in the Anchal Superintendent's Office on 1-1-1107 with the dates of their first entertainment and period of total service of each up to 1-6-1109;

(*b*) the names of graduate clerks appointed in the above office between 1-1-1107 and 1-6-1109 with the dates of their first entertainment and the period of total service of each up to 1-6-1109; and

(*c*) the names of graduate clerks confirmed in the above office during the period between 1-1-1107 and 1-6-1109 with the respective dates of confirmation and of first entertainment and the total period of acting service of each on the date of confirmation?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*), (*b*) and (*c*). A statement containing the information required by the member is placed on the table.

Exemption from age-bar of Licensed teachers.

331. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

* *Vide* Appendix VI.

[Mr. A. S. Damodaran Asan.]

(*a*) whether the grant-in-aid school teachers who have been granted license for teaching, were eligible for appointment in departmental schools even after the completion of 25 years of age without getting exemption from the age-bar rules;

(*b*) if the answer to part (*a*) is in the affirmative, whether that privilege of the licensed teachers was withdrawn subsequently; and

(*c*) if the answer to part (*b*) is in the affirmative, the date of the subsequent order and the reason for issuing the same?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) No.

(*c*) This does not arise in view of the answer to part (*b*).

Completion of the ring-bund near Arattukadavu in the Mavelikara taluk.

332. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether they have received memorials and petitions from the ryots with regard to the losses sustained by them owing to the non-completion, before the floods of 1108, of the ring-bund near Arattukadavu in the Mavelikara taluk; and

(*b*) if the answer to part (*a*) is in the affirmative, whether the above work is ordered to be completed before the floods of 1109?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) Yes.

Tuberculosis Sanatorium in Travancore.

333. ***MR. T. KRISHNA PILLAI** (*Neyyattinkara II*): Will the Government be pleased to state whether they are aware that the public have long been pressing them for the opening of a Tuberculosis Sanatorium in Travancore owing to the large number of tuberculosis patients in the State?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes; the selection of a suitable site for a Tuberculosis Hospital in South Travancore is under the consideration of Government.

Assistant Surgeons in the Medical Department.

334. ***MR. K. PADMNABHAN** (*Chirayinkil I*): Will the Government be pleased to lay on the table:

(*a*) copy of the waiting list kept by the Medical Department of qualified applicants for Assistant Surgeon's posts, together with the date of passing the examination and the date of application for appointment in each case; and

(*b*) a statement giving the names, the date of qualifying, the date of applying and the date of entertainment of persons appointed in the grade of Assistant Surgeons during the last six years?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) and (*b*) *Statements furnishing the required information, as far as available, are laid on the table.

Appointments made by the Superintendent, Trivandrum Electric Supply.

335. ***MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to lay on the table a caste-war statement of appointments made hitherto by Mr. P. Joseph John, Superintendent, Trivandrum Electric Supply, formerly designated Assistant Engineer, Electric Supply, in the clerical line and work establishment?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): The †statement is laid on the table.

Principal, Ayurveda College.

336. ***MR. K. PADMANABHAN** (*Chirayinkil I*): Will the Government be pleased to state the educational or other qualifications of the present Principal of the Ayurveda College, Trivandrum?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

1. General education qualification—Nil.
2. Professional qualifications—

(i) Has passed the Lower Medical Certificate Examination of the Government Ayurveda Patasala.

(ii) Has undergone a course of higher studies in Ayurveda in the Viswanath Niketana Patasala, Calcutta.

(iii) Has completed the L. M. & S. course in the National Medical College, Calcutta.

(iv) Has passed the M. B. C. M. examination in Homoeopathy from the Allen's Homoeopathic College, Calcutta.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether he has passed any recognised examination?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I have answered the question, Sir. I have given his qualifications.

MR. K. PADMANABHAN (*Chirayinkil I*): May I know whether he has any general qualification?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

Bridge on the Manimala River.

337. ***MR. N. E. VARUGHESE** (*Tiruvalla I*): Will the Government be pleased to state:

(*a*) the date when Government sanction was given to construct a bridge over the Manimala river at Poovanakkadavu;

(*b*) whether the Executive Engineer, Kottayam Division, proposed to start its work;

(*c*) if so, in which years;

**Vide* Appendix VII.

†*Vide* Appendix VIII.

[Mr. N. E. Varughese.]

(*d*) the reasons why the Government put off the work:

(*e*) whether they intend to include this work in the next year's (1110) budget; and

(*f*) whether they are aware of the existence of a High School and a market on either side of the river?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) 2nd September 1932.

(*b*) Yes, if sufficient funds were available.

(*c*) In the year 1108.

(*d*) A sum of Rs. 3,000 was allotted for the work in 1108, but the land compensation charges alone were expected to be about Rs. 1,100. The balance amount, *viz.*, Rs. 1,900 was not sufficient for such a big work.

(*e*) The question providing funds in 1110 will be considered along with the Budget for that year.

(*f*) Yes.

Experts of the Industries Department.

338. ***MR. N. E. VARUGHESE** (*Tiruvalla I*): Will the Government be pleased to state:

(*a*) the number of experts in the Industries Deparment of Travancore;

(*b*) the amount already spent, till the end of 1108, for the working of these experts; and

(*c*) the profit gained or the loss sustained by Government from the works done by the serveral experts?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*):

(*a*) Two.

(*b*) Rs. 1,30,238.

(*c*) It is not possible to furnish the information.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know whether the member can furnish the House with any record of work done by these experts according to the promise given by him during the last budget session of the Assembly?

MR. N. K. PADMANABHA PILLAI (*Director of Industries*): I claim notice.

Registry of swampy areas within Reserved forests.

339. ***MR. N. E. VARUGHESE** (*Tiruvalla I*): Will the Government be pleased to state the extent, in acres, of the several swampy portions suitable for paddy cultivation in the different reserved forests of Traancore?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): 4,588 acres.

Text-Book Committee.

340. ***MR. N. ABDUR RAHIMAH SAHIB** (*Nominated*): Will the Government be pleased to state the number of members constituting the Text-Book Committee formed in 1109 and the communities to which they belong?

MR. R. M. STATHAM (*Director of Public Instruction*):

Total number of members 25.

Brahmins	...	4
Nairs	...	7
Christians	...	7
Europeans	...	2
Anglo-Indian	...	1
Ezhava	...	1
Vellala	...	1
Mudaliar	...	1
Kshatriya	...	1

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know why all the communities are not represented in the Text-Book Committee?

MR. R. M. STATHAM (*Director of Public Instruction*); That question has already been answered several times in the course of this session.

Conversion of Putherikandam into a garden.

341. ***MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) whether there is a proposal to convert the Putherikandam fields into a garden;

(*b*) when this idea originated, and

(*c*) whether the Trivandrum Municipality had addressed the Government urging the need and desirability of converting these fields into a park?

MR. G. B. E. TRUSCOTT (*Chief Engineer*):

(*a*) Yes.

(*b*) In 1928.

(*c*) Yes.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*): May I know whether any action has been taken?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Yes.

Selection of Muslim candidates for the Engineering College Madras.

342. ***MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) how many Muslims have applied this year (1109) for selection to the Madras Engineering College; and

(*b*) how many were admitted?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) 20th May 1934 has been fixed as the final date for sending applications for selection to the Madras Engineering College and the selection of candidates will be made only hereafter.

(*b*) This does not arise in view of the answer to (*a*).

Tank on the north of Navaikulam Temple.

343. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*); Will the Government be pleased to state;

[Mr. S. Nilakanta Pillai]

(*a*) whether they have received any representation regarding the improvement and repair of the tank on the north of Navaikulam Temple;

(*b*) if so, when such representation was made; and

(*c*) whether it is a tank attached to the Navaikulam Temple or a Sirkar tank?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) No.

(*b*) In view of the answer to part (*a*), this does not arise.

(*c*) Sirkar tank.

Venkulam Railway Station.

344. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*): With reference to Venkulam Railway Station, will the Government be pleased to state the amount of expenditure they will have to incur in constructing a station building?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): No estimate for the work has been received from the Company. The site for locating the station is under correspondence.

The New Legislative Chamber.

345. ***MR. EDAVANATT S. PADMANABHA MENON** (*Shertala I*): Will the Government be pleased to state when they hope to have the New Legislative Buildings completed and ready for use?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): Detailed design and estimate for the work have not been prepared and it is too early to say when the work will be completed.

Appointment of Assistant and Sub-Assistant Surgeons.

346. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) the general rule that is observed in the selection of candidates for appointment as Assistant Surgeons and Sub-Assistant Surgeons; and

(*b*) whether it is a fact that it is the priority of applications and not the respective merits of the applicants that is the guiding factor in the making of such appointments?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Priority of application and the qualifications possessed by the applicants. The claims of communities which are not adequately represented in public service are also taken into consideration consistent with the above principles.

(*b*) In view of the answer to part (*a*), this does not arise.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether there is any circular that M. B. B. S. Degree holders should be preferred to L. M. S. Degree holders?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): If the member means a circular by Government, I am not aware of it.

Timber contract.

347. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) the names of systems of timber contract in vogue under the Forest Department in the State at present;

(*b*) what are the systems of timber contract under which the timber in Kottoor Reserve is being given and

(*c*) whether the whole quantity of timber given on contract from the above reserve is being transported annually from the above reserve?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) (1) Collection and supply of timbers at Government Depots by Departmental Contractors and (2) Collection and removal of timbers by purchasers on payment of agreed *mel-labham* rates.

(*b*) Both. But, at present, no timbers are being worked down under *mel-labham* system.

(*c*) Yes.

Holidays for Educational Institutions.

348. ***MR. V. K. VELAPPAN NAIR** (*Vaikam*): (*a*) Will the Government be pleased to state whether they have verified the list of holidays submitted by the Director of Public Instruction, as published in the Gazette, reducing the number of holidays in the Education Department?

(*b*) If so, will they be pleased to state the names of a dozen departmental schools which have enjoyed twenty local holidays?

(*c*) Are the Government aware that the Hindus in the Education Department have to observe certain religious rites on New Moon days as other Hindus do?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) The twenty local holidays sanctioned can obviously be only the total number for the whole State and not for any particular departmental school.

(*c*) Yes.

Anchal office at Thalayolaparambu.

349. ***MR. V. K. VELAPPAN NAIR** (*Vaikam*): Will the Government be pleased to state:

(*a*) whether they are aware that the Anchal office at Thalayolaparambu, Vaikam, is housed in a rented thatched building;

(*b*) whether they are aware of the fact that the people of the place supplied a site for an Anchal office free of cost as requested by the Anchal Superintendent;

(*c*) how long it is since the Government took possession of this site; and

(*d*) why the building was not put up?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) Yes.

(*b*) Yes.

(*c*) Eight years.

(*d*) For want of funds.

Rates for teak and blackwood.

350. ***MR. K. P. KRISHA MENON** (*Parur*) : Will the Government be pleased to lay on the table a tabular statement showing the old rates at which the Government have been paying till now and the revised rates as per Rule 2 of the Revised Forest Rules dated 5th April 1933 and published in the Government Gazette dated 20-11-1108 payable to private persons from whose holdings teak and blackwood are to be cut in respect of various classes and kinds of such timber.

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : A *statement is placed on the table.

Staff of the office of the Director of Registration.

351. ***MR. E. K. KUNJURAMAN** (*Nominated*) : Will the Government be pleased to lay on the table a list of the employees of the office of the Director of Registration giving their designation, caste, pay and qualifications?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : The †list is laid on the table.

Chief Justiceship.

352. ***MR. K. P. KRISHNA MENON** (*Parur*) : Will the Government be pleased to state :

(*a*) when the vacancy of the Chief Justiceship became permanent ; and

(*b*) the reasons for not appointing a permanent Chief Justice till now?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) :

(*a*) On 23-10-1108.

(*b*) The Government regret that this question could not be answered in public interest.

Manual Training.

353. ***MR. M. K. MADHAVAN PILLAI** (*Karunagapalli*) : Will the Government be pleased to state the average annual expense for manual training in the Vernacular Schools for the past three years?

MR. R. M. STATHAM (*Director of Public Instruction*) : Rs. 5,097.

Munsiff's Court at Karunagapalli.

354. ***MR. M. K. MADHAVAN PILLAI** (*Karunagapalli*) : Will the Government be pleased to state whether any steps have been taken by them to erect a permanent building for the accommodation of the Munsiff's Court at Karunagapalli?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : An estimate for effecting improvements to the Munsiff's Court building at Karunagapalli has been called for from the Chief Engineer.

* *Vide* Appendix IX.

† *Vide* Appendix X.

Statement, by caste, of the Process Servers, Copyists, etc., in the Judicial Department.

355. ***MR. M. MAHOMED HANEEF** (*Nominated*): Will the Government be pleased to lay on the table a caste-war statement of the process servers, copyists and clerks in the Judicial Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Government do not propose to call for the information as the time and labour involved in its preparation are out of all proportion to its possible utility.

Homoeopathy and Ayurveda Physicians and Public Health Department.

356. ***MR. V. RAMAKRISHNA PANICKAR** (*Kartikapalli II*): Will the Government be pleased to state:

(*a*) whether Homoeopathy or Ayurveda Physicians are admitted to the Public Health Department; and

(*b*) if so, how many of them are in such service and what their qualifications are?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) No.

(*b*) In view of the answer to part (*a*), this question does not arise.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): May I know whether they are prohibited from entertainment in the Department?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I am not aware of it.

Muslims in the Forest Department.

357. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) the number of Muslims appointed hitherto in the Forest Department either in the executive line or in the clerical staff;

(*b*) whether there is any Muslim at present in this department either as clerk or forester;

(*c*) the number of Muslim graduates deputed for forest training from the beginning up to date;

(*d*) whether they propose to depute any Muslim graduate for training in the Forest College for the years 1934-1936; and

(*e*) whether there is any Muslim graduate applicant for this training now (11-1-1934)?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Four.

(*b*) Yes; four.

(*c*) None.

(*d*) Government appointed a Committee consisting of the Director of Public Instruction, the Chief Secretary to Government and the Conservator of Forests to select suitable candidates from among the applicants for training in the Forest College for the period 1934-1936. The Committee has not proposed the deputation of any Muslim graduate.

[Rao Sahib Dr. N. Kunjan Pillai.]

(e) Yes. There are three applications from Muslim graduates but none of them possesses the requisite qualifications.

Special Mahomedan Schools

358. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to state

(a) how many special Mahomedan schools there are among the Vernacular Schools of the State;

(b) how many of them are boys' schools and how many girls' schools;

(c) whether the number of Muslim girls' schools was increasing or decreasing during the last five years:

(d) if it is decreasing, the reason for it;

(e) whether there are proposals to open new Muslim girls' schools in the State;

(f) if the answer to part (e) is in the affirmative, what departmental action has been taken on these proposals?

MR. R. M. STATHAM (*Director of Public Instruction*): (a) 80.

(b) 70 boys' schools and 10 girls' schools.

(c) The number has remained the same.

(d) This does not arise in view of the answer to part (c).

(e) Yes.

(f) The matter is under correspondence.

Control over the Muslim Schools.

359. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to state:

(a) in which officer the controlling power of the Muslim Vernacular Primary Schools is vested;

(b) whether the Mahomedan Inspector of Schools is exercising power of administrative control over Muslim Vernacular Primary Schools and Muslim Vernacular Middle Schools;

(c) if the answer to part (b) is in the negative, whether the Government or the Director of Public Instruction propose to invest him with controlling power over all the Muslim Schools or over all the Muslim Girls' Schools at least, with the introduction of the educational reforms in the State;

(d) if not, why;

(e) whether the Mahomedan Inspector of Schools had ever been invested with the power of administrative control over Muslim Schools at least experimentally for any length of time; and

(f) if not, why?

MR. R. M. STATHAM (*Director of Public Instruction*): (a) The Inspector of Vernacular Schools as regards the boys' schools and the Inspectress of girls' schools as regards the girls' schools.

(b) No.

(c) No.

(d) Because the administrative control must rest in an officer of higher status.

(e) No.

(f) The member is referred to part (d) of the answer.

Arabic (Second Language) in English High Schools.

360. ***MR. K. MAHOMED** (*Alwaye*) : Will the Government be pleased to state:

(a) when and by whom the syllabus of studies for Arabic Second Language for the English High School classes of the State was prepared;

(b) whether separate question papers, *viz.*, one for the language and another for grammar and translation, were set in Arabic Second Language for the last two E. S. L. C. examinations;

(c) if the answer to part (b) is in the affirmative, whether the Government or the Director of Public Instruction has consulted any scholar in Arabic in fixing the number of question papers to be set in this subject;

(d) how many question papers in Arabic Second Language are set for the ensuing E. S. L. C. examination;

(e) if the number of question papers in Arabic Second Language for the ensuing E. S. L. C. examination is not the same as that of the two previous examinations, the reason for such an alteration in the number of papers;

(f) whether any Arabic scholar was consulted in bringing about such a change;

(g) how much time was allowed for answering the following question papers for the E. S. L. C. examination;

(i) Arabic Second Language first paper;

(ii) Arabic Second Language second paper; and

(h) the time allowed for answering the question paper in Arabic Second Language for the ensuing E. S. L. C. examination?

MR. R. M. STATHAM (*Director of Public Instruction*): (a) It was drawn up in 1929 by a Committee consisting of Mr. S. M. Sulaiman (Mahomedan Inspector) and Mr. Abdul Kadir Moulvi, The present Mahomedan Inspector of Schools, Mr. A. Ahmed Kunju B. A., also scrutinised it in 1107 and 1108 before it was made final.

(b) Yes.

(c) No.

(d) Two.

(e) It is the same as that of the two previous examinations.

(f) The question does not arise in view of the answer to part (e).

(g) 2 hours each.

(h) 2 hours each.

Statement by caste of clerks etc, in the Office of the Director of Public Instruction.

361. ***MR. K. MAHOMED** (*Alwaye*) : Will the Government be pleased to lay on the table a statement, by caste, showing the number

[Mr. K. Mahomed.]

of clerks and other officers in the staff of the Director of Public Instruction as it stood at the end of the year 1108 ?

MR. R. M. STATHAM (*Director of Public Instruction*): The *statement required is placed on the table.

Appointments in the Education Department.

362. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the waiting list in the matter of appointments in Education Department was abolished ;

(*b*) who are the officers to exercise the powers of appointment in future in the Department :

(*c*) what is the grade of appointments of the respective officers ;

(*d*) whether the power of appointments of the Inspectors of Schools are to be taken away from them ; and

(*e*) whether the appointments are all to be made by the Director of Public Instruction ?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) No.

(*b*), (*c*), (*d*), and (*e*). The power of appointments now in force has not been altered.

The Officers in the office of the Director of Public Instruction.

363. ***MR. S. J. NAIR** (*Nedumangad*) (*a*) Will the Government be pleased to lay on the table a list of the officers, and their salary, in the office of the Director of Public Instruction ; and

(*b*) what were the amounts that were required for the office expenditure in the years 1090, 1095, 1100, 1105, 1108 and 1109 M. E.?

MR. R. M. STATHAM (*Director of Public Instruction*):

	Pay and allowance.	*Emergency cut.*
(*a*) (1) R. M. Statham M. A., I. E. S., C. I. E., Director of Public Instruction	Bh. Rs. 2,100 O. A. £. 30	5 per cent.
(2) C. V. Chandrasekharan M. A. (Oxon), Deputy Director of Public Instruction	Bh. Rs. 900	
(3) R. Ranga Aiyar, B. A. L. T., Personal Assistant to the Director	Rs. 300 L. A. Rs. 50	
(4) D. Gainneos B. A. & B. L., Financial Assistant	Rs. 200	
(5) P. S. Sivaswami Aiyar B. A., L. T., Manager	Rs. 175	

* Vide Appendix XI.

(*b*)

Year.	Salaries.	Establishment.	Allowance.	Contingencies.	Total.
	Rs.	Rs.	Rs.	Rs.	Rs.
1090	22,185	7,618	980	1,642	32,425
1095	24,043	8,161	337	850	33,391
1100	27,668	11,201	833	1,575	41,277
1105	26,169	15,779	4,241	2,279	48,468
1108	25,249	16,275	2,006	1,458	44,988
*1109	21,571	10,034	864	1,377	33,846

MR. S. J. NAIR (*Nedumangad*): May I know from the member whether the Director of Public Instruction's office is not over-staffed now?

MR. R. M. STATHAM (*Director of Public Instruction*): It is not over-staffed.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether different work is assigned to different people?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes.

MR. K. R. ELENKATH (*Kalkulam I*): May I know who is now dealing with the papers connected with school inspection?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): May I know, Sir whether this question arises as a supplementary question?

PRESIDENT: No.

The Vernacular Primary School at Mithrumalai.

361. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) the present condition of the school building of the Vernacular Primary School at Mithrumalai;

(b) whether the building was not constructed by the public and handed over to the department for management years ago;

(*c*) whether the school building was properly maintained by the department or not;

(*d*) whether there is any idea of abolishing the said school; and

(*e*) whether there is the necessity for that school at Kallara, its present location?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) The foundation of the school building requires to be strengthened. There are holes and a few cracks in the walls of the building. Only a portion of the walls has been plastered.

(*b*) Yes.

* The figures relate to the expenditure up to the end of Kumbham 1109.

[Mr. R. M. Statham.]

(c) The annual maintenance of the school was being attended to. The strengthening of the foundation and the plastering of a portion of the walls have to be attended to.

(d) No.

(e) Yes.

Ayurveda Director.

365. ***MR. KAINIKKARA M. PADMANABHA PILLAI** (*Changanachery I*): Will the Government be pleased to state:

(a) when the last Ayurveda Director left the post; and

(b) why the post has been kept vacant all this time?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (a) 30th Kanni 1104 on leave preparatory to retirement.

(b) The post is kept in abeyance only for the present.

The Vempanni Chira.

366 ***MR. K. KUNJUKRISHNA PILLAI** (*Quilon I*): Will the Government be pleased to state:

(a) whether any of the Tahsildars had reported to Government that the Vempanni *chira* is useful to the cultivation of nearly 30,000 *paras* of paddy lands in the adjoining area and

(b) whether any action has been taken by Government against any trespasser when Mr. Robinson was the Land Revenue Commissioner?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (a) No.

(b) It is reported that encroachment cases were investigated and the trespassers evicted in 1104.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know from the member whether all the acres of paddy lands are useful in the *chira*?

PRESIDENT: It is decided that they are useful for irrigation work.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether there is any proposal to register this *chira* in the name of a private person?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): No.

Board of Examiners for 1109.

367. ***MR. T. P. VELAYUDHN PILLI** (*Tiruvalla III*). Will the Government be pleased to state:

(a) whether one Mr. Zachariah employed in a Christian College outside Travancore was first appointed as a member of the Board of Examiners for this year,

(b) whether any and, if so, what enquiry was made by the Director regarding Mr. Zachariah before the order of appointment was passed; and

(c) whether the departmental rules sanction such appointment from outside the State?

MR. R. M. STATHAM (*Director of Public Instruction*): When Mr. Zachariah was recommended as a member of the School Leaving Certificate Board, it was thought that he was continuing to be employed in a College in Travancore. As he left Travancore, his appointment sanctioned by Government was not communicated to him.

(*b*) and (*c*) In view of the answer to part (*a*), these questions do not arise.

Fee concession in schools.

368. ***T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*) : Will the Government be pleased to state :

(*a*) when the fee concession committee for the current school year met to decide the question in the Tiruvalla taluk ;

(*b*) the date of payment of the last instalment of fees in the English and Vernacular Schools ;

(*c*) whether they are aware that the delay in the decision by the committee frustrates the object of the fee concession and

(*d*) the action they propose to take for preventing the delay in the matter ?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) 22-5-1109 for English Schools and 24-5-1109 for Vernacular Schools.

(*b*) 24-5-1109 and 5-8-1109 for the English and Vernacular Schools respectively for the school year 1933-34.

(*c*) Owing to the reconstitution of the *ad hoc* committees consequent on the abolition of the Sri Mulam Popular Assembly, some delay was inevitable. The delay does not frustrate the object of fee-concessions entirely since excess recoveries from pupils are refunded after the awards are made.

(*d*) Headmasters and Headmistresses of schools have instructions to forward all applications for fee concessions to the Tahsildars concerned as early as possible after the schools re-open and in any case by the end of Karkatakam each year.

Cooks attached to hospitals.

369. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state :

(*a*) whether cooks attached to any of the Government hospitals have been transferred to distant places during the current year ;

(*b*) if the answer to part (*a*) is in the affimative, the name, place and other particulars of such transfers ;

(*c*) the reasons for such transfers ; and

(*d*) whether these cooks are public servants according to the Service Regulations ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : (*a*) Yes.

(*b*) 1. Cook Velayudhan Pillai from District Hospital, Nagercoil, to District Hospital, Nedumangad.

2. Cook A. Sankunni Nair from District Hospital, Nedumangad, to District Hospital, Tiruvalla.

[Rao Sahib Dr. N. Kunjan Pillai.]

3. Cook K. P. Raman Pillai from District Hospital, Tiruvalla, to District Hospital, Nagercoil.

(c) Exigencies of service.

(d) They are non-pensionable servants paid from contingencies.

PRESIDENT: The time allotted for questions has expired. I want to put it for the consideration of the House whether it will not be desirable for the members, even in respect of questions which have been starred and for which they were to get oral answers, to treat the remaining starred questions as unstarred, so that such questions and their answers may also be incorporated in the proceedings. That will help them to get answers to such of their questions as could not be answered orally on the floor of the House on account of the clock stricking twelve. If they come into the proceedings, members can go through them and, if necessary frame, fresh questions for the next session with respect to the same subjects. If the House is agreeable to the suggestion, that can be so arranged.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): So far as our party is concerned, we are agreeable to the suggestion.

The suggestion was accepted *nem con*.

Inspector of Factories.

370. ***MR K. KUNJUKRISHNA PILLAI** (*Quilon*): Will the Government be pleased to state:

(a) whether Government have appointed any Inspector of Factories at Quilon or Alleppey under the Factories Regulation V of 1089;

(b) if so the names of such persons;

(c) whether any District Magistrate of Quilon during the past ten years has ever inspected any of the factories in Quilon or Alleppey; and

(d) if so, whether they have submitted any report to Government?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (a) No. The District Magistrate of Quilon is the Inspector of Factories in Quilon and Alleppey under the Factories Regulation, V of 1089.

(b) This does not arise.

(c) No.

(d) This does not arise.

Casual leave to teachers in departmental schools.

371. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Governmenl be pleased to state:

(a) whether any Circular has been issued by the present Director of Public Instruction regarding the rules for the granting of casual leave to the teachers of departmental schools; and

(b) if the answer to part (a) is in the affirmative, the material particulars in which the Circular has altered the prior rules and the reasons for effecting those alterations?

MR. R. M. STATHAM (*Director of Public Instruction*) : (*a*) Yes.
(*b*) It has not altered the prior rules in any way.

Gravelling the Valiakarimpuzha-Mannar Road.

372. ***MR. A S. DAMODARAN ASAN** (*Mavelikara*) : Will the Government be pleased to state the steps taken by the Chief Engineer on my letter dated 4-6-1109 with regard to the preparation of an estimate (excluding land acquisition charges) for gravelling the Valiyakarimpuzha-Mannar road ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) A rough estimate of the cost of the work has been ascertained from the Division Officer, Quilon.

Travelling allowances of the Deputy Darbar Physician.

373. ***MR. T. KRISHNA PILLAI** (*Neyyattinkara II*) : Will the Government be pleased to state :

(*a*) the sanctioned allotment under travelling allowance for the Deputy Darbar Physician, for 1108 ; and

(*b*) the actual amount drawn by Dr. Noble as T. A. in 1108 ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : (*a*) There was no separate allotment under this head.

(*b*) Rs. 1,695-7-9.

Qualification of Dr. Simpson, Darbar Physician.

374. ***MR. T. KRISHNA PILLAI** (*Neyyatinkara II*) : Will the Government be pleased to state :

(*a*) what the medical qualifications of Dr. James Simpson, the present Darbar Physician, are, and from which University or Universities he qualified himself ; and

(*b*) whether he possesses, apart from the degree of general medicine and surgery, any degree or diploma from any recognised University specially qualifying him either in surgery or in medicine, and if so, what ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Bachelor of Medicine and Bachelor of Surgery, Glasgow University.

(*b*) No.

Excise Divisions.

375. ***MR. S. J. NAIR** (*Nedumangad*) : Will the Government be pleased to state :

(*a*) how many Excise Divisions there are in the State ;

(*b*) how long it is since the present Excise Commissioner took charge of the Department ;

(*c*) whether the Excise Commissioner has inspected all the Divisions ;

(*d*) how many customs houses there are in the State ;

(*e*) how many customs houses there are in the Devicolam Division ;

[Mr. S. J. Nair.]

(*f*) whether the Excise Commissioner has inspected all the customs houses in Devicolam;

(*g*) if the answer to part (*f*) is in the affirmative, the dates on which he has inspected them; and

(*h*) if the answer to part (*f*) is in the negative, the reason or reasons for not so doing?

MR. C. O. MADHAVAN (*Excise Commissioner*): (*a*) Nine.

(*b*) Two years and two months.

(*c*) Yes.

(*d*) Seventy-one.

(*e*) Eight.

(*f*) He inspected only the two important chowkeys *viz.*, Karincolam and Chinnar.

(*g*) Karincolam on 21-8-1109 and Chinnar on 22-8-1109.

(*h*) Inspection of the important chowkeys only was deemed necessary.

Inspection of shops by Assistant Excise Commissioners.

376. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the Excise Assistant Commissioners have inspected the arrack, toddy, opium and ganja shops and tobacco and beedi wholesale license shops in their respective divisions this year (1109);

(*b*) if the answer to part (*a*) is in the affirmative, whether the details of such inspections are being stated in their diaries sent to the Commissioner;

(*c*) if the answer to part (*b*) is in the negative, what action the Excise Commissioner has taken in this; and

(*d*) whether the Excise Commissioner has made any personal inspection in the above shops during the course of this year 1109?

MR. C. O. MADHAVAN (*Excise Commissioner*): (*a*) Yes.

(*b*) Yes.

(*c*) This does not arise in view of answer to part (*b*).

(*d*) No.

Working of the Vamanapuram dispensary.

377. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether there were complaints about the working of the Vamanapuram District Dispensary;

(*b*) what has become of the complaints;

(*c*) whether there is insufficiency of medicine supply to the dispensary;

(*d*) whether there was shortage of medicine in the dispensary at any time; and

(*e*) whether the patients that attend the dispensary there are properly attended to or not?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Yes.

(*b*) The complaints were enquired into and the Medical Officer was asked not to give room for them in future.

(*c*) No. It is adequate.

(*d*) There is no information.

(*e*) Yes.

Medicines in the Vamanapuram Dispensary.

378. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether they are aware that there is scarcity of medicine in the Vamanapuram District Dispensary;

(*b*) whether the Medical Officer there has reported the matter to the authorities and

(*c*) whether sufficient medicine has been supplied for the use of the Dispensary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) There is no scarcity of medicine in the Vamanapuram Dispensary.

(*b*) and (*c*) The annual supply of medicines etc., was made on the 16th Tulam 1109 and; when the Medical Officer asked for more drugs a further supply was made on 27-7-1109.

Furniture for the Vamanapuram Dispensary.

379. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether furniture for the use of the dispensary at Vamanapuram has been supplied for the Vamanapuram dispersary since it was started there, and

(*b*) whether the Government are aware that the articles of furniture that are there in the dispensary were supplied by the people of the locality for the temporary use of the dispensary?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) No furniture was supplied by Government.

(*b*) Yes; but not for temporary use.

Trivandrum Public Library.

380. ***MR. N. E. VARUGHESE** (*Tiruvalla I*): Will the Government be pleased to state:

(*a*) the expenditure already incurred till 1109 in the equipment of the Public Library at Trivandrum; and

(*b*) the annual recurring expenses for maintaining the same?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) The Library having come under Government management as early as January, 1898 *i. e.* about 36 years ago, it is not possible to supply the information required.

(*b*) The average for the last five years is Rs. 8,375.

Financial Assistant to the Director of Public Instruction.

381. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the newly appointed Financial Assistant to the Director of Public Instruction is to be completely under the Director of Public Instruction, or he is simply to work under the Director.

(*b*) whether the Financial Assistant is to be an Assistant Account Officer under the supervision of the Account Officer, but having his office in the Director's Office, or his work is to be supervised only by the Director;

(*c*) whether the Financial Assistant is to be responsible to the Account Officer and the Government or to the Director of Public Instruction alone;

(*d*) the officers who have got control over the said Financial Assistant; and

(*e*) to whom he is directly responsible?

MR. R. M. STATHAM (*Director of Public Instruction*): (*a*) Yes.

(*b*) Only by the Director.

(*c*) To the Director of Public Instruction alone.

(*d*) Director of Public Instruction.

(*e*) Director of Public Instruction.

Entertainment of married women as School Mistresses.

382. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state whether there is any recommendation by the Director of Public Instruction to the Government that in future married women shall not be appointed as school mistresses?

MR. R. M. STATHAM (*Director of Public Instruction*): No.

P. W. D. Police Out-post at Aruvikkara.

383. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state whether the people of Aruvikkara and surrounding places have petitioned the Government to retain as a permanent Police Out-post, the P. W. D. Police Out-post opened there in connection with the Willingdon Water Works?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*): Yes.

Police reform.

384. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(*a*) whether the present Commissioner of Police submitted any scheme regarding the Police reform;

(*b*) if the answer to part (*a*) is in the affirmative, what has become of the reform scheme;

(*c*) how many D. S. P's there are in the Police Department;

(*d*) whether there is any idea or proposal to appoint a Personal Assistant to the Commissioner of Police;

(e) how many A. S. P's there are in the Police Department; and
(f) the nature of the work of the A. S. P's?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*):
(a) No.
(b) Does not arise in view of answer to part (a).
(c) Four.
(d) Yes.
(e) Seven.
(f) More or less the same as that of the District Superintendents of Police, except that the Assistant Superintendents of Police investigate also cases of less grave nature than the District Superintendents of Police do, conduct enquiries and generally assist the District Superintendents of Police and work under their orders and control.

Copyists in Revenue Courts.

385. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(a) whether the copyists in Magistrates' and Munsiffs' courts are not paid monthly salary;

(b) whether the copyists in Revenue courts are paid monthly salary; and

(c) the nature of the work and remuneration of the copyists in the Revenue courts?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*):
(a) Yes.
(b) No.
(c) Their work is to take down copies of public documents on the application of parties and at their cost. They are paid remuneration from the contingencies of the respective offices at the rate of two chackrams for every copying paper copied by them.

Technical Examinations.

386. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state:

(a) whether the Government have sanctioned the introduction of the Travancore Technical Examinations;

(b) the date of such sanction;

(c) whether any Committee was appointed for the purpose, and if so, when;

(d) whether such Committee has submitted a report, and, if not the reasons for the same; and

(e) whether the sanction to introduce Travancore Technical Examinations has been given effect to, and, if not, why?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (a) No.
(b) This does not arise in view of the answer to (a).
(c) Yes on the 18th March 1933.
(d) No; a report is being drafted.
(e) No; Government await the report.

Salvage of paddy sacks.

387. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state:

(*a*) the number of sacks of rice and paddy salvaged in the Travancore ports in 1106, 1107 and 1108 respectively:

(*b*) whether the respective Port Conservators have issued salvage certificates to the Shipping Agents.

(*c*) whether the steamers in which these sacks of rice and paddy were imported into the State are covered by any insurance;

(*d*) whether the Government are aware that this identical question was sent by me on 28-2-1109; and

(*e*) if the answer to part (*d*) is in the affirmative, the action taken in the matter?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) A °statement containing the information required by the member is placed on the table.

(*b*) Yes.

(*c*) Yes.

(*d*) Yes.

(*e*) Information was collected on the points contained in the interpellation: but by the time it could be answered, the November Session of the Assembly was over.

Road Boards.

388. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): Will the Government be pleased to state;

(*a*) the reasons which prompted them to constitute the Road Boards in Travancore; and

(*b*) the reasons for abolishing them?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) The member is referred to G. O. No. R. Dis. 132/30/P. W., dated 24-1-1930, a †copy of which is laid on the table.

(*b*) The Road Boards have not been abolished. They have only been temporarily suspended as the recommendations made by the Boards during the time were functioning have provided enough work to be carried out for some years to come. The question of reviving the Boards is under the consideration of Government.

The Kollakadavu bridge.

389. ***MR. T. P. VELAYUDHAN PILLAI** (*Tiruvalla III*): With regard to the Kollakadavu bridge on the Chenganur—Mavelikara road, will the Government be pleased to state whether steps have been taken by the Public Works Department regarding the construction of the bridge, and if so, what and when?

MR. G. B. E. TRUSCOTT (*Chief Engineer*); Yes. The estimate received from the Division Officer is under scrutiny by the Chief Engineer.

° Vide Appendix XII

† Vide Appendix XIII

Bridges on the Aycad and Kozhithodu.

390. *MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): With regard to the construction of bridges over Aycad and Kozhithodu on the Chenganur—Aranmula Road, will the Government be pleased to state:

(*a*) whether there have been repeated representations by the public in the Sri Mulam Popular Assembly, in the Sri Mulam Assembly and to the Government regarding the construction of the same: and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken by the Government and the P. W. D. in the matter?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) Estimates have been prepared by the Division Officer and they are under scrutiny.

Chenganur—Mannar road.

391. *MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): With regard to the Chenganur—Mannar road *via* Pandanad, will the Government be pleased to state:

(*a*) whether they are aware that repeated representations have been made in the Sri Mulam Popular Assembly and in the Sri Mulam Assembly and to the Department regarding the construction of the same; and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken by the Government on such representations?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) The estimates for the improvement of the road are under scrutiny by the Chief Engineer.

Acting Anchal Peons.

392. *MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state

(*a*) the names of acting Anchal Peons in the Mavelikara Division whose acting service is less than six months, with their total acting service and dates of first entertainment;

(*b*) the names of persons who have acted as Anchal Peons with a total acting service of more than two years, with the total acting service and the date of first entertainment, now without even acting appointment: and

(*c*) the reasons for appointing the persons in part (*a*) while those in part (*b*) were waiting?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) A statement containing the information required by the member is placed on the table.

(*b*) None.

(*c*) All persons with a total acting service of two years and more were provided for and none was in the waiting list when the persons mentioned in part (*a*) were given acting appointments.

Filling up of vacancies in the P. W. D.

393. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state:

*Vide Appendix XIV

[Mr. S. J. Nair.]

(a) whether vacancies in and above the grade of Second Grade Supervisors in the P. W. D. are not filled up from a very long time;

(b) whether promotions are not given for very many Supervisors who are in the lower grade;

(c) whether the late Chief Engineers and the Acting Chief Engineer have recommended their promotions; and

(d) why the recommendations were not accepted?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (a) All vacancies except those in the Second Grade Supervisor's places have been filled up.

(b) Promotions are given to deserving Supervisors in the lower grade as chances occur.

(c) Yes.

(d) The recommendations have all been accepted by Government, except those for the Second Grade which are under the consideration of Government.

Amalgamation of the Press, Stationery and Central Printing Departments.

394. ***MR. S. J. NAIR** (*Nedumangad*): Will the Government be pleased to state:

(a) whether there is any idea of the amalgamation of Press, Stationery and Central Printing departments;

(b) why the amalgamation is proposed; and

(c) the benefit or advantage of the said amalgamation?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(a) Yes.

(b) Because the three are allied departments and can be worked more efficiently under a single head.

(c) Co-ordination of the functions of the three departments which will facilitate their efficient and smooth working.

Removal of green manure from Reserve Forests.

395. ***MR. S. NILAKANTA PILLAI** (*Chirayinkil II*): Will the Government be pleased to state:

(a) whether they allow green manure to be taken from Reserve Forests by cultivators; and

(b) if so, whether there is any restriction in doing so?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): (a) Only from scrub jungle Reserves, which have been notified by Government.

(b) Removal in head-loads is free. Collection and removal by cart-load on payment of a fee of 4 annas per cart-load, and by boat-loads at 8 annas a boat-load.

Trade Agent in Bombay.

396. ***MR. EDAVANATT S. PADMANABHA MENON** (*Shertala I*): Will the Government be pleased to state the various functions of the newly appointed Trade Agent in Bombay?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The member is referred to the Press Note dated the 17th April 1934 on the subject.

Concessions to students passing out of the Agricultural Schools.

397. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) with reference to the answer to question No. (2) (*b*), given on 25th November 1933, in this Assembly, whether the reports of the Land Revenue and Income Tax Commissioner and the Conservator of Forests have been received on the memorial referred to therein; and

(*b*) if the answer to part (*a*) is in the affirmative, the action taken on the same?

MR. T. C THOMMEN (*Ag. Secretary to Government*): (*a*) The report of the Conservator of Forests has been received; but that of the Land Revenue and Income Tax Commissioner has not yet been received.

(*b*) Further action can be taken only on receipt of the report from the Land Revenue and Income Tax Commissioner.

Muslim Sub-Registrars.

398. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) the number of Muslim Sub-Registrars in the Registrations Department of the State; and

(*b*) the date of appointment and present pay of these Muslim Sub-Registrars?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) One.

(*b*) 12th Mithunam 1087. His present pay is Rs. 115.

Ryots' road from Mavelikara-Pantalam road to Cherukunnam village road.

399. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether steps are being taken for taking the ryots' road from 3/1 Mavelikara-Pantalam road, to Cherukunnam village road under departmental maintenance and

(*b*) the period for which the subject was pending before the Department and the reason for the delay?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) No, as the ryots have not completed the road as per the rules.

(*b*) Does not arise in view of the answer to part (*a*).

Opening of a District Court at Mavelikara.

400. ***MR. A. S. DAMODARAN ASAN** (*Mavelikara*): Will the Government be pleased to state:

(*a*) whether the appointment of a seventh Judge in the High Court and the opening of a Munsiff's Court at Pattanamtitta are due to a change in the policy of the Government from that indicated in the answer to my question No. 54, given on 20th November 1933, in the Assembly; and

[Mr. A. S. Damodaran Asan].

(*b*) if the answer to part (*a*) is in the affirmative, whether the question of the opening of the District Court at Mavelikara is also under consideration?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) and (*b*) No.

Maintenance of roads.

401. ***MR. V. K. VELAPPAN NAIR** (*Vaikam*): Will the Government be pleased to state:

(*a*) whether they are aware of the practice of using ordinary sand in place of river sand, followed by the P. W. D. contractors, in the maintenance of roads;

(*b*) whether the Chief Engineer is of opinion that this is better and cheaper; and

(*c*) if the answer to part (*b*) is in the affirmative, the amount saved in one mile?

MR. G. B. E TRUSCOTT (*Chief Engineer*): (*a*) Yes, where river sand is not available close by, *odai* sand or pit sand is used.

(*b*) For ordinary maintenance purposes such as binding exposed surfaces of metal etc., clean *odai* sand is as good as river sand and is cheaper.

(*c*) This will depend upon the locality and the availability of the river sand at the site.

Village Panchayat Court at Veliyathunad.

402. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state whether there is any representation from the people of Veliyathunad and its adjacent places for granting a Village Panchayat Court at Veliyathunad?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

Non-departmental Anchal Offices.

403. ***MR. K. MAHOMED** (*Alwaye*): Will the Government be pleased to state:

(*a*) the number of non-departmental Anchal Offices in the State,

(*b*) the monthly pay of each of the Masters appointed in these non-departmental Anchal Offices;

(*c*) the monthly pay of a peon in a non-departmental Anchal Office;

(*d*) whether there is any departmental test for these Masters and peons;

(*e*) whether there are peons who worked as clerks and as Masters in the Anchal Offices of the State

(*f*) whether their claims were considered when new hands were appointed as Masters in the non-departmental Anchal Offices; and

(*g*) if not, the reason of disregarding their claims?

MR T. C. THOMMEN (*Ag. Secretary to Government*): (*a*) 150.

(*b*) Rs. 10.

(c) Ranging from Rs. 10 to Rs. 14.

(d) No.

(e) Yes. The peons possessing the requisite minimum qualification for a post in the superior service have often worked as Masters and clerks in the departmental offices as vacancies arose.

(f) No.

(g) Service in the post of non-departmental Master is not pensionable, whereas the post of the Anchal peon is permanent and pensionable. As per the rules of the T. S. R., a peon holding an appointment in the latter cadre cannot be transferred to the former. Moreover, it is the policy of the department to prefer for the post of non-departmental Masters, the nominees of the promoters of the experimental offices.

Inspector of Police at Edappalli.

404. *MR. K. MAHOMED (*Alwaye*): Will the Government be pleased to state

(a) whether there are complaints against the present Inspector of Police and Constables at Edappalli;

(b) if so, what are they about;

(c) what is the action taken against them by the Commissioner of Police or by the Government and

(d) of the present number of Constables at Edappalli, how many are natives of that place?

RAO BAHADUR N. RAMANUJA AIYANGAR (*Commissioner of Police*):

(a) Yes. A petition was received recently by the Commissioner of Police.

(b) To transfer the present Inspector and the Christian Constables who were alleged to be partial and molesting the Muslims.

(c) The petition was enquired into by the Assistant Superintendent of Police, Alwaye, who found the allegations to be unfounded.

(d) One.

Grant-in-aid to Libraries.

405. *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state how many libraries in the State are being given grant-in-aid from the Education Department?

MR. R. M. STATHAM (*Director of Public Instruction*): 24 up to 12-9-1109.

Assistant Chief Inspectress.

406. *MR. V. K. VELAPPAN NAIR (*Vaikam*): Will the Government be pleased to state whether the Director of Public Instruction is having an idea of promoting a junior Assistant Inspectress as Assistant Chief Inspectress?

MR. R. M. STATHAM (*Director of Public Instruction*): No.

Games fees in English Schools.

407. *MR. A. S. DAMODARAN ASAN (*Mavelikara*): Will the Government be pleased to state whether payment of games fees by the pupils

[Mr. A. S Damodaran Asan].

of the English Schools has been made compulsory from the beginning of the present school year (1934—35) ?

MR. R. M. STATHAM (*Director of Public Instruction*): Yes in all classes, except the Preparatory Class, of departmental English Schools; at twelve annas per annum in the High School classes and eight annas per annum in the Middle School classes.

UNSTARRED QUESTIONS AND ANSWERS.

Revenue Recovery in the Kunnatnad taluk.

35. **MR. T. K. ALEXANDER** (*Kunnatnad I*): Will the Government be pleased to state:

(*a*) the number of cases of revenue auction of immovable property in the Kunnatnad taluk in 1103, 1104, 1105, 1106, 1107 and 1108 for arrears of land revenue

(*b*) a pakuthi-war statement of land thus sold away in each of these years together with the amount realised; and

(*c*) the number of appeals filed against such auction sales, the number decided and the number of cases in which the sales have been set aside?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*): (*a*) to (*c*) A *statement containing the necessary information is placed on the table.

Muslims in the Revenue Department.

36. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) the number of Muslims employed in the Revenue Department, getting a salary of Rs. 20 and more and

(*b*) the number of Muslims employed as Proverthicars and Accountants?

MR. K. GEORGE (*Land Revenue and Income Tax Commissioner*):

(*a*) 12.

(*b*) 8.

Export duty on cocoanut products.

37. **MR. K M. KRISHNAN** (*Ambalapuzha II*): Will the Government be pleased to state:

(*a*) whether they have received any resolution adopted at the public meeting held under the auspices of the Alleppey Chamber of Commerce with regard to the abolition of the export duty now levied on copra, oil and punac and other matters; and

(*b*) if the answer to part (*a*) is in the affirmative, whether they have taken any and what action in the matter?

* *Vide* Appendix XV

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : (*a*) Yes.

(*b*) The matter is engaging the attention of Government.

Road from Podiyadi to Neerattupuram.

38. **MR. P. K. NARAYANA PILLAI** (*Ambalapuzha I*) : Will the Government be pleased to state :

(*a*) whether the road from Podiyadi to Neerattupuram has been completed and made fit for use by the public ; and

(*b*) how long the work in connection with the said section of the road has been suspended ?

MR. G. B. E. TRUSCOTT (*Chief Engineer*) : (*a*) No.

(*b*) 4 years nearly.

Supply of the Quarterly Civil List to the Members of the Legislature.

39. **MR. K. SANKARAN** (*Kartikapalli I*) : Will the Government be pleased to state :

(*a*) whether copies of Quarterly Civil List published by Government used to be supplied, free of cost, to the members of the former Legislative Council ; and

(*b*) why Government have thought of not supplying the same to the members of the Reformed Legislature ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Yes.

(*b*) As it is available in the Legislative Library for reference, its supply was stopped.

Waiting sheds attached to the District Court, Nagercoil.

40. **MR. PACODE A. NARAYANA PILLAI** (*Vilavankod*) : Will the Government be pleased to state :

(*a*) the number of sheds that were available for the use of clients in the District Court compound at Nagercoil ;

(*b*) whether all the clients' sheds have now been taken over by the courts for other purposes, and, if so, whether any other provision is made for clients' sheds ;

(*c*) whether they are aware that, in the absence of clients' sheds clients who resort to the various courts are put to great inconvenience.

(*d*) whether they have received copy of resolution passed by the Bar Association, Nagercoil, regarding the urgent necessity of making adequate provision for clients' sheds, and, if so, what steps have been taken by them on the said resolution ; and

(*e*) whether they propose redressing the grievance by ordering the construction of at least two clients' sheds at an early date ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) One.

(*b*) This shed was converted into the Official Receiver's office after making due provision for clients by giving one of the leased sheds for the purpose and effecting repairs thereto.

(*c*) In view of the answer to part (*b*), they are not put to inconvenience.

(*d*) & (*e*) Copy of resolution passed by the Bar Association, Nagercoil, has been received. Administrative sanction for the construction of a clients' shed in the premises of the District Court, Nagercoil, at a cost of Rs. 480 has been accorded and instructions have been issued for the necessary provision being included in the Budget for 1110 M.E.

Members of depressed classes in the Anchal Department.

41. **MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state the number of persons belonging to the depressed classes in the Anchal Department who have deposited security amounts and the number, from among them, who are now in service?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): 87 persons. Of these, 21 are permanent, and 66 are volunteers included in the waiting list.

Socially and Educationally Backward Classes among the Depressed Classes.

42. **MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state whether the Protector has informed them what classes among the depressed are socially and educationally labouring under greater disabilities?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): The answer is in the negative.

Allotment for the department of the Protector of Depressed Classes.

43. **MR. T. T. KESAVAN SASTRI** (*Nominated*): Will the Government be pleased to state how, and for whom, the sum of Rs. 7,000, sanctioned for the department of the Protector of the Depressed Classes was expended, and what the balance amount is?

MR. T. C. THOMMEN (*Ag. Secretary to Government*): No amount from the sanctioned allotment has, so far, been expended. Proposals have been submitted by the Protector of Depressed Classes to utilise the amount for acquiring sites for establishing colonies in the Trivandrum and Agasteeswaram taluks and for sinking wells in the proposed colonies.

Labourers in Rubber and Tea Estates.

44. **MR. T. T. KESAVAN SASTRI** (*Nominated*). Are the Government aware that the majority of the labourers in rubber estates and tea estates in the State, conducted by Companies, belong to the depressed classes?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No.

Qualification of Sub-Registrars.

45. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) what are the qualifications laid down for the post of Sub-Registrars;

(*b*) how many Muslim graduates there are in the Department satisfying those qualifications;

(*c*) whether graduates are given any preference for promotion to Sub-Registrars' posts; and

(*d*) whether any Muslim graduate has been given any such preference?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) Graduates having the Departmental Examination qualification, and non-graduates who hold E. S. L. C. pass certificates provided they have passed the Departmental Examination or are otherwise efficient and have put in a service of not less than 15 years.

(*b*) One.

(*c*) 75 per cent of the Sub-Registrars' places are ordinarily reserved for graduates.

(*d*) No. The turn for promotion of the Muslim graduate referred to in answer to part (*b*) has not come, as he is only a junior clerk with about one year's permanent service.

Muslims in the Registration Department.

46. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to lay on the table a statement showing:

(*a*) the number of Muslim graduates in the Registration Department; and

(*b*) the number of Muslims acting as Head Clerks in the Sub-Registry Offices?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) One.

(*b*) One.

Muslim Girls' Schools.

47. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to lay on the table a list of Departmental Muslim Girls' Schools in the State?

***MR. R. M. STATHAM** (*Director of Public Instruction*): The list asked for by the member is laid on the table.

Special Muslim V. P. Girls' School at Perumathurai.

48. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) whether there is a special Muslim Veanacular Primary Girls' School at Perumathurai;

* Vide Appendix XVI

[Mr. N. Abdur Rahiman Sahib.]

(b) whether the building wherein the school is housed has been provided by the Muslims of the locality ; and

(c) whether they are aware of the dilapidated condition of the school building on account of the floods in 1108 ?

MR. R. M. STATHAM (*Director of Public Instruction*) : (a) to (c). Yes.

Training in Forestry.

49. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*) : Will the Government be pleased to lay on the table a list of persons selected for training in Forestry at Coimbatore in the year 1109, showing their qualifications and age ?

(b) Will the Government be pleased to state the principle adopted in the selection of candidates ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) : (a) * The list is laid on the table.

(b) Efficiency and fitness for rough forest work on the basis of communal representation, as far as possible.

Training in Forestry.

50 **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*) : (a) Will the Government be pleased to furnish a statement showing (i) the number of Muslims who had applied for selection for training in Forestry and (ii) those who appeared before the Selection Committee ;

(b) will the Government be pleased to state (i) how many candidates possessing the prescribed qualifications appeared before the Selection Committee and (ii) whether they have ever taken any Muslim candidate for training in Forestry outside the State ever since the formation of the Forest Department ?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*)

(a) (i) 3.
(ii) 2.

(b) (i) 9.
(ii) No.

Muslims in the Forest Department.

51. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*) : Will the Government be pleased to state :

(a) the number of Muslim graduates employed in the Forest Department ; and

(b) the number of Muslim undergraduates drawing Rs. 25 and above in the Forest Department ?

MR. T. C. THOMMEN (*Ag. Secretary to Government*) : (a) One.

(b) One.

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* Vide Appendix XVII.

Road from Beemapalli to Sri Mulam Lock

52. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state;

(*a*) whether there is a proposal to open a road from Beemapalli (near Valiaturai) to Sri Mulam Lock; and

(*b*) at what stage the work is now?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) Yes.

(*b*) Acquisition of necessary lands on nominal compensation.

Selection of candidates for the Engineering College at Madras.

53. **MR. N. ABDUR RAHIMAN SAHIB** (*Nominated*): Will the Government be pleased to state:

(*a*) (i) how many candidates from Travancore are selected for training in the Engineering College at Madras; and

(ii) the nature of the assistance, by way of stipends, etc., rendered to them by the Government; and

(*b*) how many applications from Muslims were received by the Government during the last 10 years for admission to the Madras Engineering College and whether any one has been selected therefor?

MR. G. B. E. TRUSCOTT (*Chief Engineer*): (*a*) (i) Four for the Engineer class and four for the subordinate class.

(ii) The member is referred to the Travancore Government Gazette Notification R. O. C. No. 1560/34/P. W., dated the 31st March 1934 and to the Madras Government Order No. M. S. 1757 dated the 3rd December 1932 on the subject.

(*b*) The arrangement with the Madras Government regarding the admission of Travancore students and the reservation of seats for them in the Engineering College, Madras, came into effect only from the beginning of the academic year 1933-1934. Among the applicants for selection in the first batch (1933-1934), there was no Muhammadan applicant.

Appendix I.

[*Vide* **Answer to Question No. 300.**]

Taluk-war statement showing the number of weaving schools in the State, those that receive grants-in-aid and the respective amount of grant

No.	Name of School.	Taluk.	Grant per mensem.		
			Rs.	ch	c.
1	Puthalam Orphanage Industrial School .	Agasteeswaram	20	..	..
2	Don Bosco Weaving School .	Do.	12	..	..
3	Neyyoor Weaving Institute .	Kalkulam	28	..	..
4	St. Joseph's Weaving School, Puthenkada .	Do.	12	..	..
5	K. R. V. Weaving Institute .	Do.	12	..	..
6	Y. M. C. A. Industrial School, Marthandom .	Vilavancode	12	..	..
7	Sahayavilasom Weaving School .	Do.	12	..	..
8	Bhagyavilasom Weaving School .	Do.	12	..	..
9	Kamalavilasom Weaving School .	Do.	12	..	..
10	Kappikadu St. Mary's Weaving School .	Do.	...	..	..
11	St. Joseph's Weaving School, Pulluvila .	Neyyattinkara	25	16	12
12	Dharmavilasom Weaving School .	Do.	12	..	..
13	Thirupuram Weaving School .	Do.	36	..	..
14	Sri Velayudhavilasom Weaving School .	Do.	24	..	..
15	Kuttaninna Weaving School .	Do.	24	..	..
16	Little Flower Weaving School .	Do.	31	..	..
17	Muttakad Weaving School .	Do.	27	5	8
18	Kalathani Weaving School .	Do.	12	..	..
19	Venkulam Weaving School .	Do.	24	..	..
20	Vittivila Weaving School .	Do.	12	..	..
21	Chenkal Weaving School a	Do.	24	..	..
22	Chempur Weaving School .	Do.	12	..	..
23	Kodankara Weaving School .	Do.	12	..	..
24	Paraniyam Weaving School .	Do.	24	..	..
25	Adventpuram Weaving School .	Do.	12	..	..
26	Arayoor Weaving School .	Do.	24	..	..
27	Sri Rama Vilasom Weaving School .	Do.	12	..	..
28	Kottukal Charuvila Weaving School .	Do.	12	..	..
29	Sri Chitra Vilasom Weaving School .	Do.	24	..	..
30	Sri Chitra Vilasom Weaving School, Malainkil .	Do.	..	..	..
31	Kulathur Weaving School .	Do.	12	..	..
32	Karunalaya Pariposhini Weaving School .	Do.	...	..	..
33	Sri Yesu Asramam Weaving School .	Trivandrum	24	..	..
34	Ambikavilasom Weaving School .	Pallipuram	..	..	..
35	Sarvamangalam Industrial School .	Trivandrum	12	..	..
36	St. Joseph's Industrial School, Port .	Do.	..	..	..
37	St. Mary's Weaving School, Poonthura .	Do.	..	..	..
38	Sri Padma Vilasom Weaving School, Manakad.	Do.	12	..	..
39	Sri Krishna Vilasom Weaving School .	Nedumangad	12	..	..
40	Kattakada Weaving School .	Do.	..	..	..

APPENDIX I—(*concld.*)

No.	Name of School.	Taluk.	Grant per mensem.		
			Rs.	ch	c.
41	Das Vilas Weaving School	Nedumangad	12	..	..
42	S. N. D. S. Orphanage Weaving School	Chirayinkil	12	..	..
43	Janardavilasom Weaving School	Do.	..	..	..
44	Shanmukha Vilasom Weaving School	Do.	28	..	..
45	Bhagavathi Vilasom Weaving School	Do.	16	..	..
46	Attingal Weaving Institute	Do.	28	..	..
47	Pulimath Weaving School	Do.	..	..	..
48	Nazreth Orphanage Weaving School, Ittikara	Quilon	24	..	..
49	S. K. V. Industrial School, Paravur	Do.	30	..	..
50	Oanattukara Weaving School	Mavelikara	24	..	..
51	Chettikulangara Mat Weaving School	Do.	8	..	..
52	St. Joseph's Weaving Institute	Changanacherry	26	11	4
53	St. Patrick's Weaving School, Mundakayam	Peermade	24	..	..
54	C. M. S. Weaving School	Thiruvella	12	..	..
55	St. Mary's Weaving School, Kalloopara	Do.	24	..	..
56	Padmodayam Weaving School	Do.	12	..	..
57	Pampady Weaving School	Kottayam	12	..	..
58	Kumara Vilasom Weaving School, Kumarakom	Do.	12	..	..
59	Thuravoor Weaving School	Sherthalai	12	..	..
60	Bhagavathivilasom Weaving School	Do.	12	..	..
61	Coir Industrial School, Thycattuseri	Do.	16	..	..
62	Lakshmy Vilasom Weaving School	Do.	12	..	..
63	Vechoor Subhodayam Weaving School	Vaikom	12	..	..
64	St. Rita's Weaving School	Ambalapuzha	12	..	..
65	St. Thomas Weaving School, Mookanoor	Kunnathunad	12	..	..
66	Holy Family Industrial School, Karukutty	Do.	12	..	..
67	Nirdhana Mitram Cottage Industrial School	Meenachil	12	..	..

Appendix II.

***Vide* Answer to Question No. 302 Part E.**

Statement showing the duty leviable on Ceylon cocoanuts, copra and cocoanut oil.

Year.	Duty leviable on 1000 cocoanuts.			Duty leviable on 1 Cwt. of copra.			Duty leviable on 1 Cwt. of cocoanut oil.		
	Rs.	As.	Ps.	Rs.	As.	Ps	Rs.	As.	Ps.
1928	6	12	0	3	4	10	4	8	0
1929	6	12	0	3	7	3	4	8	0
1930	7	8	0	2	8	10	3	14	5
1931	7	3	3	2	6	5	3	3	8
1932	8	4	0	2	15	1	4	0	0
1933	6	6	5	2	0	0	3	14	0
1934	6	6	5	1	12	10	3	2	0

Appendix III.

***Vide* Answer to Question No. 303.**

Statement of partition deeds.

Year.	*Number of partition deeds.*
1100	8,154
1101	18,757
1102	21,175
1103	18,588
1104	14,742
1105	13,546
1106	9,711
1107	10,157
1108	9,064

Appendix IV

***Vide* Question No. 323.**

Statement of pokkuvaravu cases filed and rejected from 1101 to 1108.

Division.	No. of cases filed in								No. of cases rejected in							
	1101	1102	1103	1104	1105	1106	1107	1108	1101	1102	1103	1104	1105	1106	1107	1108
Trivandrum . .	23,876	27,492	38,202	33,736	34,670	32,940	26,583	29,993	5,535	7,663	7,315	6,719	7,624	5,736	5,705	3,832
Quilon . .	34,650	43,922	54,533	52,615	47,770	40,764	32,590	37,143	5,299	5,854	6,427	6,313	6,777	4,035	5,091	3,993
Kottayam . .	23,668	24,560	29,917	26,537	27,086	21,160	19,342	22,930	4,779	4,371	5,635	4,319	5,050	2,956	3,181	3,564
Devicolam . .	425	537	476	653	408	441	394	464	26	43	21	46	47	45	30	45
Total .	82,619	96,511	1,23'128	1,13,541	1,09,934	95,305	78,909	90,530	15,639	17,931	19,398	17,397	19,498	12,772	14,007	11,434

D

Appendix V.

***Vide* Question No. 327.**

Pakuthi-war statement of different kinds of damages done by the floods in Edavam and Mithunam 1108 in the Neyyattinkara Taluk.

No.	Name of pakuthy.	Area of paddy cultivation damaged.		Area silted.		No. of houses destroyed or damaged.	Remarks.
		Acres.	Cents.	Acres.	Cents.		
1	Kulathur ...	78	18	22	58	41	
2	Chenkal ...	139	23	6	½	94	
3	Parassala ...	6	19	1	9	...	
4	Kollayil ...	3	2	2	56	14	
5	Kunnathukal ...	7	90	34	73⅓	...	
6	Ottasekharamangalam..	65	28¼	5	75¾	44	
7	Perumkatavila ...	24	32	21	48	34	
8	Neyyattinkara ...	266	26	37	22	393	
9	Athiyannoor ...	17	96	40	11	...	
10	Thiruppuram ...	187	84	8	18	187	
11	Kottukal ...	4	63	58	35	...	
12	Thiruvellam ...	55	10	17	62	59	
13	Nemom ...	...	...	12	50	264	
14	Pallichal ...	13	44	10	38¼	2	
15	Velappil ...	95	20¼	110	83	71	
16	Marukil ...	27	64	22	28	...	
17	Maranalloor ...	...	...	17	7½	...	
18	Karimkulam ...	...	...	...	..	..	
	Total ...	992	19½	428	75⅓	1203	

Appendix VI.

***Vide* Question No. 330**

Statement regarding the staff in the Anchal Superintendent's Office.

(*a*) The names of the acting graduate clerks in the Anchal Superintendent's Office on 1-1-1107.

	Names.	Date of 1st entertainment.	Period of total service up to 1-6-1109.			Remarks
			Years.	Months.	Days.	
1	Rama Warier	27-6-1106	2	2	0	
2	V. C. Chacko	16-12-1106	2	5	15	

V. C. Chacko alone had furnished the usual security.

(*b*) The names of the graduate clerks appointed in the Anchal Superintendent's Office from 1-1-1107 to 1-6-1109.

	Names.	Date of 1st entertainment.	Years.	Months.	Days.	Remarks
1	G. Vasudevan Pillai	15-9-1106	1	11	1	
2	Neelacanta Pillai	5-10-1106	...	...	..	Left the Department to practice as Vakil.
3	Kaliyanikutti Amma	11-4-1105	0	10	24	She was for some time in the Education Department.
4	P. F. Chacko	23-2-1107	1	10	25	
5	Shunmukom	26-2-1107	...	..	..	Left the Department. Employed in the Secretariat.
6	V. J. Joseph	25-3-1107 (A. O.)	...	..	..	
		20-9-1107 (A, S. O)	1	7	3	
7	E. J. D'Cruz	5-8-1107	...	..	..	Left the Department. Employed in the Dept. of Agriculture and Fisheries.
8	H. S. Subramonia Iyer	12-2-1107	..	..	..	Left the Department.
9	M. P. Bhaskara Pillai	15-9-1107	...	..	..	Left the Department. Employed in the office of the Land Revenue and Income Tax Commissioner.

APPENDIX VI.—(*contd.*)

	Names.	Date of 1st Entertainment.	Period of total service up to 1-6-1109.			Remarks.
			Years.	Months.	Days.	
10	K. K. China Meeran	24-1-1108	..	..	..	Left the Department. Now in the Education Department.
11	O. K. Subramoniam	3-6-1108	..	..	..	Left the Department. Undergoing L. T. Course.
12	Easwaran Namboori	21-7-1108	0	7	0	
13	Namasivayam Pillai	25-8-1108	..	..	..	Removed from the list. Employed in the Devaswom Department.
14	Nesiaha	20-9-1108	..	..	..	Left the Department.
15	Sesha Gopala Iyengar	20-9-1108	0	3	22	
16	Mahamed Kunju	26-10-1108	..	.	..	Employed in the High Court.
17	A. K. Bhaskara Pillai	13-1-1109	0	0	28	
18	S. Soundaram	14-1-1109	0	2	4	
19	A. Junis Sait	28-3-1109	0	0	3	
20	N. S. Subramonia Pillai	21-5-1109	0	0	9	
21	Chackrapani Warier	20-5-1109	0	0	7	
22	Thirumala Iyengar	29-5-1109	0	0	1	

(*c*) The names of the graduate clerks confirmed in the Anchal Superintendent's Office during the period from 1-1-1107 to 1-6-1109.

	Names.	Date of 1st entertainment.	Date of confirmation.	Total period of acting service on the date of confirmation.		
				Year.	Months.	Days.
1	Rama Warier	27-6-1106	1-6-1108	1	2	0
2	V. C. Chacko	16-12-1106	1-6-1108	1	5	15
3	G. Vasudeva Pillai	15-9-1106	11-11-1108	1	4	11
4	P. F. Chacko	23-2-1107	15-12-1108	1	5	10

Appendix VII.

***Vide* Question No 334**

Waiting List of applicants for Assistant Surgeon's Post.

Serial No.	Name of applicant.	Qualification.	Date of application.	Year of passing the Examination.
1	R. Keralavarma Thampan	B.A., M.B., B.S.	24-5-1926	1926
2	N. P. Pillai	M.B., Ch. B. (Edn.)	17-2-1927	..
3	C. T. George	L. M. & S.	3-12-1927	1926
4	C. R. Karunakara Menon	Do.	9.1-1928	1927
5	S. Ramaswami Iyer	Do.	9-1-1928	1927
6	V. Krishnan	Do.	28-1-1928	1927
7	M. Mathias	M. B., B. S.	14 9-1928	1927
8	P. J. Joseph	Do.	13-12-1928	..
9	C. Vareed	Do.	11-2-1929	..
10	P. K. Joseph	Do.	27-3-1929	..
11	P. V. George	B.A., L. M. & S. B. S. S. C.	26-4-1929	..
12	K. J. Antony	M. B., B. S.	3-6-1929	..
13	K. A. Abraham	Do.	4-6-1929	1929
14	Joseph J. Poovattil	Do.	8-7-1929	1929
15	R. Kesava Pillai	L.R.C.P., M.R.C.S., etc.	2-1-1930	1925
16	K. John	L. M. & S.	7-2-1930	1929
17	R. Raghavan	Do.	8-7-1930	1930
18	K. Mahadevan Nair	Do.	11-7-1930	1930
19	P. Ananthanarayanan	B.A., M.B., B.S.	14-7-1930	1930
20	P. Marthanda Pillai	L. M. & S.	25-7-1930	1930
21	S. V. Siva Iyer	Do.	12-8-1930	1930
22	I. Z. Thomas	M. B., B. S.	14-9-1930	1929
23	K. Arumughom Pillai	Do.	19-9-1930	1930
24	V. Subramonia Iyer	L. M. & S.	5-12-1930	1930
25	P. K. Varghese	Do.	27-12-1930	1930

APPENDIX VII—(*contd.*)

Serial No.	Name of applicant.	Qualification	Date of application.	Year of passing the Examination.
26	C. Jacob Ambeeran	B.A., L. M. & S.	29-1-1931	1930
27	Solomon David	M.B., B.S.	12-2-1931	..
28	K. P. G. Menon	L. R. C. & S., L. R. F.P.S., etc.	4 3-1931	..
29	M. C. Varghese	M.B., B S. (Andra)	29-6-1931	1931
30	George Kuruvila	B.A., L.M. & S.	7-7-1931	1931
31	J. J. Eapen	B.A., M.B.B.S.	4-8-1931	1928
32	M. W. Joseph	M.R.C.S., L.R.C.P. R.C.I.L., L.R.C.P. & S., D.O.M.S.	7-8-1931	..
33	Mathai Joseph	M.B., B.S.	8-8-1931	1929
34	C. R. Narayanan Nair	B.A., M.B., B.S.	18-8-1931	..
35	Tharakan Polacherakkal	L.M. & S.	15-9-1931	1931
36	C. Philip Kurien	M.B., B.S. (Bombay)	1-10-1931	1928
37	C. Renganathan	M.B.B.S.	16-11-1931	1927
38	S. Sivasankara Pillai	B.A., M.B.B.S.	26-12-1931	1928
39	Abraham Thomas	Do.	26-12-1931	1931
40	S. Sankaranarayanan Onnithan	L.M. & S.	28-12-1931	..
41	Kurian George	M.B.B.S.	17-1-1932	1931
42	P. Velayudhan Nair	B.A., M.B., B.S.,	1-2-1932	1931
43	K. C. Jacob	Do.	22-2-1932	L.M.S. 1927 M.B.B.S. 1929
44	T. Vasudevan Nambeesan	M.B.B.S. L.O.	29-3-1932	1930
45	C. K. Padmanabha Menon	M.B. B.S.	21 4-1932	1928
46	A. D. Varghese	B.A., M.B.B.S.	7-5-1932	1927
47	S. Madusoodanan	M.B. B.S.	14-5-1932	1932
48	K. Sivasankara Pillai	Do.	21-5-1932	1932
49	Chinnaiyan John	Do.	23-5-1932	..
50	N. Vythianathan	Do. (Andra)	27-5-1932	1931
51	Rajavarma	L.M. & S.	8-6-1932	1932

APPENDIX VII—(*contd.*)

Serial No.	Name of applicant.	Qualification	Date of application.	Year of passing the Examination.
52	C. Joseph .	M.B. B.S.	15-6-1932	1932
53	K. N. Narayana Menon .	L.M. & S.	23-6-1932	..
54	T. P. V. Row Naidu .	M.R.C.S., L.R.C.P. & S.	24-6-1932	1931
55	John Thaduthil Mani .	M.B.B.S., L.R.C.P.&S., etc.	30-6-1932	1930
56	A. J. Eapen .	M.B.B.S.	12-8-1932	1929
57	V. O. Zacharia .	L.M. & S.	13-12-1932	1932
58	V. Thomas .	M.B.C.M., L.R.C.P., M.R.C.S., L.R.I.S., L.M.	6-1-1933	M.B.C.M. 1908 L.R.C.P. 1910
59	A. George David .	M.B.B.S.	11-1-1933	1932
60	S Muthukaruppa Pillai .	Do.	15-1-1933	1932
61	P. Vadivelo .	L.M. & S.	16-1-1933	1932
62	T. N. Chacko .	B.A., L.M.&S.	19-1-1933	1932
63	A. T. George .	M.B.B.S.	30-1-1933	..
64	K. Narayanan Nair .	Do.	7-5-1933	1933
65	G. Williams .	Do.	8-5-1933	1933
66	S. Kumara Pillai .	Do.	9-5-1933	1933
67	P. I. Alexander .	Do.	10-5-1933	1933
68	T. S. Thombs .	L.M. & S.	11-5-1933	1933
69	A. M. Francis .	M.B.B.S.	16-5 1933	1927
70	S. V. Subramonia Iyer .	Do.	17-5-1933	1933
71	K. Rama Iyer .	Do. (Andra)	20-5 1933	1933
72	N. Kolappa Pillai .	M.B.B.S.	29-5-1933	1933
73	P. O. Koshy .	B.A.,M.B.B.S.	1-6-1933	1926
74	M. C. Mathew .	M.B.B.S.	14-6-1933	1933
75	T. C. Padmanabha Panicker .	M.B.B.S., D.G.O.	26-6-1933	1930
76	R. Thrivikrama Pai .	M.B.B.S.	8-7-1933	1933
77	M. Mathai Mathew .	Do.	10-7-1933	1932
78	S. Padmanabha Kurup .	M.B.B.S. (Andra)	17-7-1933	1933
79	K. V. B. Pillai .	D.L.O., L.R.C.P.S., etc.	26-8-1933	..
80	K. V. Narayana Iyer .	M.B.B.S.	30-8-1933	1933
81	S. Padmanabha Pillai .	Do.	21-9-1933	1933
82	Valiaparambil ThomasKunjan	B.A., M.B.B.S.	21-12-1933	1933
83	Krishna Iyer Kesava Iyer .	M.B.B.S.	27-3-1934	..
84	R. Kesavan Nair .	Do.	4-4-1934	1933

APPENDIX VII—(*contd.*)

Statement of Assistant Surgeons appointed in the Medical Department for the past six years.

No.	Name.	Qualification.	Date of qualifying.	Date of applying.	Date of entertainment.
1	Mrs. Sarah Varghese	M. B. B. S.	..	..	15-10-1103
2	Sry. B. Kamalamma	Do.	..	..	21-3-1104
3	Mr. A. Krishnan Tampi	M. B. Ch. B. (Edin.)	..	..	1-12-1104
4	Miss Achy Iype	M. D. Michigan University.	..	4-10-1928	1-1-1106
5	Miss Sosa Philip	M. B. B. S.	..	3-4-1930	1-9-1106
6	Mr. A. M. Clement	L. R. C. P. S., L. R. F. P. S., L. D. S.	..	19-5-1932	10-3-1108
7	,, D. Ramanathan	L. M. & S.	..	..	7-8-1103
8	,, T. C. Mathew	Do.		..	22-8-1103
9	,, P. C. Varghese	Do.		..	29-8-1103
10	,, P. Paramesvara Aiyar	M. B. B. S.		..	5-10-1103
11	,, P. K. Joseph	Do.		27-3-1929	20-5-1105
12	,, K. Nilakanta Pillai	M. C. Ch. B. (Edin.)		..	20-5-1105
13	,, V. R. Narayanan Nair	B.A., M.B.B.S.		4-1-1930	22-2-1107
14	,, G. N. Unnithan	B.A., M.R.C.S. (Eng.) L.R.C.P. (Lon.) D.T.M.H.	Information not available.	25-7-1931	1-3-1107
15	,, V. Kumara Pillai	M.B.B.S.		26-7-1930	9-3-1107
16	,, R. Sankara Raman	L.M. & S.		28-7-1930	3-11-1107
17	,, K. O. Oomman	M.B.B.S.		11-7-1930	1-1-1108
18	Miss C. V. Mariamma	Do.		..	17-6-1108
19	Mr. A. S. Johnson	B.A., M.B.B.S. L.R.C.P. (Edn.)		16-7-1930	6-7-1108
20	Miss Sosa Oomman	M.B.B.S.		5-5-1932	25-8-1108
21	,, Anna K. Varghese	Do.		19-3-1931	8-9-1108
22	Mr. K. Raman Pillai	M.B.B.S., L. M. & S.		13-1-1931	17-10-1108
23	,, P. A. Velayudhan Pillai	L.R.C.P. & S., L.R.F.P. & S. D.O.M.S.		14-12-1929	6-2-1109

Appendix VIII.

***Vide* Question No. 335.**

Caste-war statement of appointments made by Mr. P. Joseph John, Superintendent, Trivandrum Electric Supply.

	Caste.	Clerical Line (Permanent).	Work Establishment.								Total in Work Establishment.
			Clerks.	Linemen.	Wiremen.	Electrician.	Lascar.	Watcher.	Telephone Operator.	Telephone Attender.	
1	Brahmins .	2	..	..	..	..	..	..	1	..	1
2	Nairs .	1	..	1	..	..	3	2	1	1	8
3	Variar (Hindu) .	1	..	..	..	..	..	..	..	..	..
4	Christian .	1	2	1	..	..	..	1	..	..	4
5	Mahomedans .	..	..	..	..	..	1	1	..	..	2
6	Ezhavas .	..	1	1	1	1	..	..	..	..	4
7	Arayans .	..	..	1	..	..	..	..	..	..	1
8	Washerman .	..	1	.	..	..	..	..	..	..	1
9	Asari .	..	..	..	..	..	1	..	..	..	1
10	Depressed Class .	..	..	..	..	..	1	..	..	..	1
	Total .	5	4	4	1	1	6	4	2	1	23

Appendix IX

***Vide* Question No. 350.**

Statement showing old and revised rates of Kudivila to be paid from Government in respect of teak and blackwood removed from private lands.

Old rates of Kudivila before the Revised Forest Rules came into force *i. e.*, before 20-11-1108.	Revised rates of Kudivila to be paid after the Revised Forest Rules came into force *i. e.*, since 20-11-1108.	
	Species.	*Rate of Kudivila due.*
Half of the net accrual from the disposal of the logs.	Blackwood I class	8 as. per Cft.
	Do. II class	4 ,, ,,
	Do. III class	2 ,, ,,
	Teak I class	6 ,, ,,
	Do. II class	4 ,, ,,
	Do. III class	2 ,,

Appendix X.

Vide Question No. 351.

Name, Designation, Pay, Caste and Qualifications of the employees of the Office of the Director of Registration.

No.	Name.	Designation.	Caste.	Pay.	Qualifications.	Remarks.
1	Mr. N. Krishnan Nair (Ag)	Head clerk.	Nair.	35 12	B. A. and Registration Test.	Temporary Sub-Registrar on other duty as acting Head clerk.
2	Mr. S. Anantha Narayana Iyer	Head Record Keeper.	Brahmin	60	Lower Secondary and Registration Test.	...
3	Mr. M. N. Gopala Pillai	Head Accountant	Nair	60	E. S. L. C. and Registration Test.	...
4	Mr. P. Krishna Iyer	Clerk.	Brahmin.	50	English Middle School and Registration Test.	...
5	Mr. M. Chacko	Do.	Protestant.	50	E. S. L. C. holder and Registration Test.	On other duty as Temporary Sub-Registrar.
6	Mr. K. O. Varghese	Do.	Jacobite.	50	Do.	...
7	Mr. S. N. Krishna Pillai	Do.	Nair.	35	Do.	...
8	Mr. A. Abdulkhadir Shaeb	Do.	Musalman	35	E. S. L. C. and Registration Test.	...
9	Mr. K. Raghavan Pillai	Do.	Nair	30	B. A. and Registration Test.	Acting Sub-Registrar.
10	Mrs. K. G. Bhagavathy Amma	Do.	Do.	25	Do.	
11	Mr. V. R. Kesavan	Do.	Ezhava.	25	Do.	Temporary Head Clerk, Sub-Registry Office.
12	Mr. P Kunjukrishna Nadar	Do.	Nadar.	25	Do.	Ag. Head Clerk, Sub-Registry Office.
13	Mr. S. K. Madhava Kamath	Do.	Goudasaraswatha Brahmin.	25	Do.	...
14	Mr. V. M. Kesava Pillai	Do.	Nair.	25	Do.	Ag. Head Clerk, Sub-Registry Office.
15	Mr. B. O. Stephen	Do.	Catholic Latin rite.	21	Do.	..
16	Mr. T. C. Subbuswamy Iyer	Do.	Brahmin.	21	B. A. & B. L. and Registration Test.	...
17	Mr. C. N. Velayudhan Pillai	Do.	Vellala.	21	B. A. and Registration Test.	...
18	Mr. P. Damodaran Pillai	Do.	Nair.	20	Do.	...
19	Mr. V. N. Ananthakrishna Iyer	Do.	Brahmin.	20	B. A & B. L. and Registration Test.	...
20	Mr. K. Parameswaran Pillai	Typist.	Nair.	35	London Typewriting.	...

Appendix XI.

Vide Question No. 361.

Statement by caste of clerks and other officers in the Office of the Director of Public Instruction as at the end of 1108.

Details.	Gazetted officers.	Non Gazetted clerks.	Menials.
I. Hindu.			
(2) Brahmins (Others) ...	3	18	2
(4) Ezhava ...	...	...	2
(7) Nair ...	...	2	6
(10) Vellala ...	...	1	2
II. Musalman ...	...	...	1
III. Christian.			
(2) Roman Catholic (*a*) Latin Rite...	...	1	...
(3) Syrian—Jacobite ...	...	2	1
	3	24	14
ACTING HANDS.			
I. Hindu			
(2) Brahmin—Others ...	...	1	
(4) Ezhava ...	...	...	1
(7) Nair ...	...	3	4
III. Christian.			
(3) Syrian—Jacobite ...	...	1	...
	...	5	7

Appendix XII.

***Vide* Question No. 387.**

Statement showing the number of sacks of rice and paddy salvaged in the Travancore Ports in 1106, 1107 and 1108.

Name of Port.	Number of sacks salvaged.	
	Rice.	Paddy
	1106	
Alleppey ...	...	...
Quilon ...	...	...
Trivandrum ...	...	21 1/3
Colachel ..	...	37
	1107	
Alleppey ...	...	...
Quilon ...	...	..
Trivandrum ...	...	5 1/2
Colachel ...	...	...
	1108	
Alleppey ...	...	...
Quilon ...	...	...
Trivanarum ...	...	2
Colachel ...	...	98

Appendix XIII.

***Vide* Question No. 388.**

Proceedings of the Government of Her Highness the Maha Rani Regent of Travancore.

Read :—

(1) Letter No. 1885, dated the 20th July 1927, from the Chief Engineer.

(2) Letter R. O. C. No. 3420/27/P. W., dated the 30th July 1927, to the Land Revenue and Income Tax Commissioner.

(3) Letter C. No. 2698/27, dated the 24th November 1927, from the Land Revenue and Income Tax Commissioner.

(4) Letter R. O. C. No. 3420/27/P. W., dated the 7th May 1928 to the Chief Engineer.

(5) Letter No. 2601, dated the 6th August 1928, from the Chief Engineer.

(6) Letter No. 3325, dated the 27th October 1928, from the Chief Engineer.

(7) Letter R. O. C. No. 3420/27/P. W., dated the 30th January 1929, to the Chief Chgineer.

(8) Letter No. 527, dated the 11th February 1929, from the Chief Engineer.

(9) Letter R. O. C. No. 3420/27 P. W., dated the 11th April 1929, to the Chief Engineer.

(10) Letter No. 1303, dated the 12th April 1929, from the Chief Engineer.

The Chief Engineer has reported that in addition to the several representations made in the Sri Mulam Popular Assembly and the Legislative Council for the improvements of the means of communication in the State, a large number of petitions are being received by him from the public direct and through Government, for the construction of new roads, canals and bridges. He has accordingly brought to the notice the necessity of dealing with these questions in a comprehensive manner, with a view to lay down a definite policy and programme, to which the P. W. D. may apply itself, instead of dealing with them individually as at present. He has reported that for want of definite programme it was not possible to conduct the necessary investigation and to prepare the estimates in a systematic manner, with the result that road development in recent years has not been proceeding on definite lines, the works taken up being dependent on the measure of insistence of the demand. With a view to remedy the above defect and to enable a definite programme of work being formulated, the Chief Engineer has suggested the desirability of constituting Boards for the purpose of advising Government in the matter of the opening, improvement and maintenance of roads, bridges and waterways in the State and to co-ordinate the undertakings of the P. W. D. in this respect.

Order R. Dis. No. 132/30/P. W.
dated, Trivandrum, 24th January 1930.

Her Highness' Government have carefully considered the above proposal of the Chief Engineer. They consider that the formation of Boards will remedy the want of a proper organisation to advise the P. W. D. and the Government in regard to the selection of works in the order of their importance and urgency and to enable the Government to follow a settled programme in the matter of development of communications in the State. Accordingly, Government have decided to constitute a Central Board for the whole State and 6 District Boards, one for each of the P. W. Divisions of Nagercoil, Trivandrum, Quilon, Kottayam and Alwaye and the region comprising the P. W. Sub-Divisions of Peermade and the High Range to advise the Government in the matter of the opening, improvement and maintenance of communications in the State. The rules for the constitutions and working of these Boards are appended in this order.

(By order)
Sd. K. GEORGE,
Chief Secretary to Government.

To

The Chief Engineer.
The Land Revenue and Income Tax Commissioner.
The Account Officer.
The Gazette.
The Press Room.

Appendix XIV.

***Vide* Question No. 392.**

Statement showing the names of acting Anchal peons in the Mavelikara Division whose acting service is less than six months with their total acting service and dates of first appointment.

Name of acting peons.	Date of first entertainment.	Total acting service	
		Months	Days.
N. Kumara Panicker ...	14-4-1106	4	29
K. T. Thomas ...	15-12-1107	1	2
G. Gopalan Nair ...	23-3-1108	3	11
Sankaranarayana Batt ...	6-7-1107	3	25
Zacharia Daniel ...	10-7-1108	2	21
N. Raghavan Pillai ...	28-7-1107	2	23
M. K. Varghese ...	16-8-1107	0	15
N. Chellappan Pillai ...	15-9-1108	0	16
K. K. Narayanan ...	21-8-1107	3	0
M. K. Krishnan Nair ...	19-1-1108	2	11
C. K. Thomas ...	5-7-1107	1	0
M. Geevarghese ...	13-4-1109	1	11
I. Geevarghese ...	17-12-1108	0	16
V. Thomas ...	10-5-1109	2	20
P. K. Aiyappan ...	28-7-1107	3	6
M. C. Gheevarghese ...	3-5-1108	1	10
N. Sankaran ...	3-1-1109	1	29
M. G. Thomas ...	19-8-1108	0	22
K. David ...	1-8-1107	3	8
T. K. Azhakan ...	12-8-1107	3	27
K. Raman Pillai ...	10-4-1109	0	15
Ommen Koshy ...	2-8-1109	1	23
T. Poulose Chacko ...	19-6-1108	1	0
G. Daniel ...	5-4-1109	0	10
S. Parameswaran Nair ...	23-9-1108	0	22
V. G. Varghese ...	22-5-1109	0	22
C. Mathew ...	20-3-1108	1	4
K. C. Thomas ...	14-12-1108	0	19
Kandan Kali Devassia ...	23-7-1108	1	13
A. Kochukunju Panicker ...	14-6-1108	1	22
P. K. Philip ...	27-10-1108	0	18

Appendix XV.

***Vide* Unstarred Question 35.**

Revenue Recovery in the Kunnatnad Taluk.

Interpellation.	Pakuthy.	1103					1104					1105				
330. (a)		97					82					89				
		Land sold.		Amount realised.			Land.		Amount.			Land.		Amount.		
		A.	C.	Rs.	Ch.	C.	A.	C.	Rs.	Ch.	C.	A.	C.	Rs.	Ch.	C.
(b)	Vengoor	1	60	50	7	6	..	...	..	..	..	..	50	12	2	9
	Pervmpavoor	..	..	..	...	..	3	09	62	2	1	8	04	201	2	9
	Cheranalloor	..	..	..	..	..	1	02	40	5	2	..	40	7	2	6
	Vengola	25	02	501	2	6	7	02	120	7	6	2	90	81	7	6
	Manjapra	30	07	490	7	8	4	07	99	2	6	5	07	125	8	2
	Kothakulangara	27	03	608	2	1	9	02	210	7	6	15	04	376	2	9
	Alwaye	4	01	100	2	6	10	02	301	4	2	8	04	202	9	2
	Thrikkakara	3	02	98	3	7	30	07	604	2	8	3	02	47	2	9
		1106					1107					1108				
	Vengoor	4	02	103	7	6	2	80	90	2	9	20	07	312	3	15
	Perumpavoor	4	07	125	6	2	..	..	...	..	..	15	01	201	3	9
	Chenaranalloor	3	01	67	2	9	1	04	30	7	9	4	02	137	2	9
	Vengola	9	12	310	2	9	9	07	180	2	6	19	07	312	2	9
	Manjapra	3	09	90	4	..	6	02	102	7	6	11	07	194	3	2
	Kothakulangara	14	03	212	2	4	26	07	412	2	9	8	02	156	7	8
	Alwaye	20	07	512	2	3	4	01	82	6	12	3	01	101	4	3
	Thrikakkara	18	04	211	7	6	15	02	310	2	6	18	01	400	2	9
(c)	Revision petition under Section 50 Do. disposed of Auction cancelled.			1 1 1				1 1 1								

Appendix XVI.

***Vide* Unstarred Question No. 49.**

List of Departmental Schools for Muslim girls.

1. Kottar Primary School in Agasteeswaram taluk.
2. Thiruvamcode Do. in Kalkulam taluk.
3. Perumathura Do. in Chirayinkil taluk.

Appendix XVII.

***Vide* Unstarred Question No. 49.**

List of persons selected for training in Forestry at Coimbatore in the year 1109, showing their qualifications and age.

(1) N. Sridharan Pillai, 26 years of age has put in 4 years' service in the Forest Department as Curator in charge of the Herbarium in the Conservator's Office. Has passed first in the Presidency in the Botany and Zoology Group in March 1927. Had taken active parts in Games while in the College.

(2) Cyriac Pothen, 23 years of age, Roman Catholic Christian· B. A. degree in Botany and Zoology Group besides being an all round sportsman. Had played games of all sort and was captain of sports of his College and had represented the College in several matches.

AMENDMENT OF STANDING ORDERS.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Sir I beg to submit the report of the Select Committee appointed to consider the amendment of Standing Orders of the Sri Mulam Assembly.

Only five amendments have been recommended by the Select Committee.

The first amendment is to Standing Order No. 5 (1). Standing Order No. 5 (1), as it stands, runs as follows :

> "The Assembly shall ordinarily meet at eleven and terminate its sitting at 4·30 subject to the direction of the Dewan."

The Select Committee report suggests that, in the place of the words 'direction of the Dewan', the words 'decision of the Assembly' shall be substituted. There are certain occasions when the Assembly feels that it is absolutely necessary to continue its sittings some time longer in order to conclude the business taken up ; and on some occasions, some of us have actually felt difficulty in finishing the business on the agenda on account of the meeting concluding exactly at the time prescribed by the rules. That is why the Select Committee has proposed the amendment that the time-limit for the sitting must be ubject to the decision of the Assembly.

The next amendment is for the substitution of '5 p. m.' for '4.30 p. m.' in the same Standing Order. As it is, the Assembly ordinarily sits only for about five hours, excluding lunch time, each day. We think that the sitting can conveniently be continued further. I suggested that '5.15 p. m.' be substituted for '4·30 p. m. '. But the Select Committee decided that the lunch interval may be reduced by fifteen minutes and that '5 p. m.' be substituted 'for 4·30 p. m.'

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): I rise to a point of order. Paragraph 97, on page 35 of the Manual, says that the report of a Select Committee on a Bill can be presented to the Assembly by the member in charge, who shall, if he makes any remarks, confine himself to a brief statement of fact. Mr. Asan is now giving *reasons* as to why the changes have to be made. That is not a statement of fact.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): These are statements of facts with respect to what took place in the Select Committee and which prompted the Select Committee to effect the alterations.

PRESIDENT: What is most important in such matters is brevity. If you can be brief in your remarks, the Chair will be indulgent t you.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I want the House to understand the purport of the amendments.

The third amendment is with regard to the need for increase in the number of days allotted for non-official business. Our experience is that the number of days allotted for non-official business is inadequate to carry on the non-official business in the proper manner.

The fourth amendment is with regard to the mode in which questions are to be answered. It has been the experience of the non-official members of this House that much time is taken by the official members in giving oral answers to questions. It cannot be denied that answers to questions are got ready even some days before they actually come up before this House. The practice in the former Legislative Council was to get the answers also printed and placed on the table, along with the questions, fifteen minutes before each day's sitting commences. In the Madras Legislative Council, answers are placed about half an hour before the sitting commences. Sir, that saves public time and also enables the non-official members to put supplementary questions more effectively.

The last amendment is for the substitution of the word 'ten' for 'six' with regard to the balloting of resolutions. The point is that, if a larger number of resolutions are balloted, we will be in a position to choose the most important of them for discussion.

These are the amendments suggested by the Select Committee and I move that the amendments be taken up for consideration.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second the motion.

PRESIDENT : I put the first amendment, namely, that, in Standing Order No. 5 (1), the words 'decision of the Assembly' be substituted for the words 'direction of the Dewan'.

MR. JOSEPH PANJIKARAN (*Assistant Additional Head Sirkar Vakil*) : I oppose the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Member Sri Chitra State Council*)—(*Additional Head Sirkar Vakil*): In support of the opposition, I wish to speak a few words. It will be seen that, under the Standing Order as it now stands, the sitting must commence ordinarily at eleven o' clock and must terminate ordinarily at half past four. But, if the Dewan so directs, the sitting might commence either earlier, say at ten o' clock, or later, say at twelve o' clock. Similarly, the sitting may also terminate, if the Dewan so directs, earlier than 4·30 p. m., say at 3 p. m., or later, say at 5 or 6 p. m. What is proposed by the amendments is that the Assembly must commence its sitting earlier or later, or terminate its sitting earlier or later, *according to the decision of the Assembly*. Sir, having regard to the constitution of our Legislature, I submit that this is wrong. I hope that it will be readily conceded that the decision of the Assembly means the view of the majority in the Assembly. It will also be conceded that that means that the view of the majority must prevail over that of the minority, so far as the decision of the House is concerned. It will also be realised that in a Chamber constituted as ours, Government is always in the minority. Sir, the responsibility for carrying on public business rests with the Government and their officers. Therefore, without meaning any disrespect to the House, I would suggest that the time of the sitting should not be left to the majority of the Assembly. In matters which are left to the decision of the majority, the minority has always to submit to the views of the majority. And since the responsibility for carrying on public business rests with the Government who, on account of the constitution of this House, form a minority here, the fixing of the time of sitting must not rest with the majority of the House. It is desirable that it is left to some outside authority.

MR. K. R. ELENKATH (*Kalkulam I*) : May I know whether the responsibility of carrying on public business does not rest as well with the majority of the non-official members of this House as with Government?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I will come to that later on, if the member will remind me.

MR. A. THANU PILLAI (*Trivandrum-Rural*) : May I know who the outsider is?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I am explaining that.

In the nature of the constitution of this Assembly, where the officials form a minority and have to submit themselves to the view of

a non-official majority, it is only proper that the discretion should lie with an outside authority like the Dewan or the President of the Assembly. As I said, I do not mean any disrespect to the House. My only suggestion is that the minority must be given a hearing and must always have an opportunity to present their case and the majority should not be empowered to impose their views on the minority without the minority being given a chance to say what they have to say; that is why I suggest that the discretion must be left to some outside authority. In the constitution of this House, the Dewan happens to be *ex officio* President. Therefore, the Standing Order may be left as it is, so that the Dewan may exercise the discretion in the matter.

MR. K. KUNJUKRISHNA PILLAI (*Quilon 1*): Does the member exclude even the Deputy President?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Certainly not; when he takes the Chair, he should be given the discretion in the matter.

PRESIDENT: Not merely the Deputy President; anybody who presides.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Thank you, Sir. That is so. The Deputy President or any one forming the panel of Chairmen must have the discretion in the matter, whenever such person occupies the Chair.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): May I ask whether the President is not a minority compared to the whole House?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The President is the presiding authority and cannot be included as part of either the majority or the minority of the House. That is why I called the President an outside authority sitting in judgment and exercising discretion in such matters.

It may be of use to the House to be told in this connection the practice elsewhere. In the Indian Legislative Assembly, the Standing Order on this point says:

"The meeting of the Assembly shall, subject to the direction of the President, ordinarily commence at 11 a. m."

It is left to the discretion of the President. Of course, there is a full-time non-official President there. But that does not alter the principle.

The following is the provision in the Madras Legislative Council:

"While in session, the Council shall ordinarily sit at eleven o' clock."

There is no question of discretion at all. In regard to adjournment, this is the provision:

"Any meeting of the Council may be adjourned by the person presiding."

This provision is really a Section of the Government of India Act. We see therefore that both in Madras and in the Indian Legislative

[Mr. Kayalam Paramesvaran Pillai.]

Assembly the discretion in regard to the termination of a day's meeting is always left to the presiding authority, the President, the Deputy President or one among the panel of Chairmen, as the case may be. Here, the Dewan is *ex officio* President. That is why, under the Standing Orders, the discretion is left to him. Mr. Asan pointed out that difficulty has sometimes been felt in finishing non-official business on the agenda. Of course, in such cases the members have only to make a request to the Chair to continue the sitting for some time more and the Chair will certainly sympathise with the request. That is what is done elsewhere, in the Indian Legislative Assembly for instance. I shall read for the information of the House what the President of the Indian Legislative Assembly has stated in regard to the practice there. And that may very conveniently and rightly be copied by us.

This is what the President of the Indian Legislative Assembly said in the Assembly on the 15th February 1926:—

> "The Chair takes this opportunity of explaining to the House the practice it has hitherto followed and proposes to follow hereafter in adjourning the House. On non-official days, the Chair endeavours, as far as possible, to accommodate the non-official Members and consult their convenience before adjourning. On official days, the Chair endeavours to treat the official Benches on the same principle. In the absence of any instructions from either side of the House on any particular day, the Chair uses its own discretion and adjourns the House at such hour as it considers proper, having regard to the state of business for that day. Generally speaking, the Chair is always anxious to consult the convenience of the House and shows its readiness to sit even very late hours irrespective of its personal convenience."

Sir, it would be seen that the remedy for the difficulty raised by Mr. Asan really lies in following the practice that is followed in the Indian Legislative Assembly and not to change the Standing Order. As I said, the basic principle of this practice that is followed in the Indian Legislative Assembly as well as here, is that it is left to an impartial authority like the Chair to determine how long the House should sit. It seems to me, Sir, that it is a right principle that we should not depart from. In that view, it is not proper that this amendment to the Standing Order proposed before the House should be passed by this House.

There is one word more, Sir, I want to say in regard to the merit of the amendment.

It says that, subject to the decision of the Assembly the House shall sit and rise at 11 and 4·30. How is this decision to be expressed and when? Suppose the House is sitting and the Assembly want that it should sit till 5 o'clock and they want to decide this say at 3 o'clock. How is that to be done? Is there going to be a motion that the House do sit till 5 o'clock? That is not mentioned in the amendment. If

the House has to sit at 9 o'clock in the morning, how is the decision for that purpose to be determined? Should it be determined the previous day by a vote of the House or by some other means? It seems to me, Sir, that under the Standing Order as proposed it is impossible to judge of things. I do not know what Mr. Asan has at the back of his mind. But there is no provision for any vote being taken on a motion that the House do sit till 5 o'clock or 8 o'clock or that the House do adjourn now. That being so, it seems to me, Sir, that the amendment proposed is more or less impracticable.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is there a provision for motions in general?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Yes. I am saying that, so far as this amendment stands, it does not appear whether such a motion should be given before six days or six minutes or even six seconds before the motion is moved. I say this because Mr. Asan reminded me of motions in general. Does it mean that six days' notice should be given? If the House were sitting on Monday and in the middle of the business were to desire half an hour more, how is that desire to be expressed? Should such a motion be given six days' notice? So it is more or less impracticable. The time when that decision should be recorded is also not clear.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has the President the right to waive that notice.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*). Yes. He has. But that does not affect the real question. Sir, it seems to me that the amendment to the Standing Order is one that should not be accepted by this Chamber.

At this stage the President left the House and the Deputy President took the Chair.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, the question to be decided is whether the authority to fix the time when the Assembly should commence a sitting and when it should end has to be left to the Dewan as President or to the discretion of the House. I think it is in the interests of all that the Dewan as the President should be kept away from any delicate situation and the power should vest in the House. The Law Member pointed out the analogy of the Assemby. I may submit, Sir, with very great respect that there is a very real difference between the President of the Assembly and the Dewan who presides in this Assembly, in the fact that the President of the Legislative Assembly is an elected President and there is a provision—

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): On a point of order; is a member after having seconded a motion still at liberty to support the motion by a second speech?

DEPUTY PRESIDENT: Mr. Kunjukrishna Pillai seconded the motion of Mr. Asan that the report of the Select Committee be taken into consideration. After that, this clause was put before the House, Mr. Kunjukrishna Pillai is now talking on this motion.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): According to the rules of the Legislative Assembly, the President includes the Deputy President or the Chairman for the time being of the Assembly.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): On a point of order, Sir. There was nobody to second the motion for the clause.

DEPUTY PRESIDENT: It is a belated objection, and the discussion has been going on. The members have been acquiescing in what was done and presumably there must have been a seconder. I was not in the Chair at the time, but considering that the Assembly had acquiesced in the proceedings I take it that it was duly seconded.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): There is a real difference between the President of the Indian Legislative Assembly and the Dewan who presides over this Assembly. And it would be well if the matter is left to the discretion of the House. Otherwise on particular matters the Chair, whose impartiality and whose dignity is so sacred to us the members of the Assembly and ought to be kept intact at any cost, will be placed in a delicate situation. I urge that reason as the paramount reason for divesting the Dewan who happens to be the President also and to free himself from a delicate situation which may arise and which may lead to certain misunderstandings at the back of our minds though we may not express them. To avoid all that, it is easy to find that the decision in such matters may very safely be left to the majority of this House.

Sir, the Law Member said that the Government is in a minority. Do the proceedings of this House or the decisions of this House from the very day on which the Assembly began its sitting up till now bear out that fact?

At this stage the President took the Chair.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*), Sir, Government were not serious when they raised the objection that Government are in a minority. They are not in a minority. Even now under the new Legislature it can be demonstrated by a perusal of the proceedings of this House. They have got the generous support of the vast majority of this House on all occasions whenever they wanted it. That cannot be denied by anybody, and we can never be accused of having been tyrannical to a minority. The record will show that there has not been the slightest attempt on the part of the majority to ride roughshod over the opinion of the minority. On the other hand, it will be found that we were solicitous, even unreasonably solicitous, to support the minority and to uphold it. So, that charge cannot be levelled against the majority of the members of this House and the proceedings of the House will warrant my statement. I think it can very safely be left, if we believe in the democratic ideal, to the majority of this House, especially in view of the fact that it would be a very delicate thing for the Dewan, who happens to preside, to exercise these powers of discretion. To safeguard the good opinion about the Chair and its impartiality and integrity, I think it is highly necessary that this power should be divested from him and vested in the Assembly.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : May I know from the member what the procedure is for the expression of opinion of the House as to when the business on a certain day shall commence or end ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : There is the provision for ordinary notice which could very well on a fit occasion be waived by the Chair. That is a reserve power still existing in the Chair and it is the safeguard which is in the hands of the Chair to allow this thing to be decided by the House. That is all the more reason why this motion can be accepted.

MR. S. J. NAIR (*Nedumangad*) : I support the motion of Mr. Asan that Standing Order 5 (1) shall be amended as stated by him, for the reason that the presence of the expression 'the direction of the Dewan' in the provision itself is not very clear and it may not be practicable always for the Dewan to direct, as the Dewan need not always preside and as the Deputy President or any one among the panel of Chairmen could preside over the session. Such being the case, the presence of the expression 'subject to the direction of the Dewan' is not clear and it would not work well so long as the provision, as it stands, is retained in the Standing Orders.

With regard to the charge levelled against the non-official members or rather the members on this side of the House by the Law Member that the official members who are in a minority may suffer from the tyranny of the majority, we can assure the official members of this House that we are not here to tyrannise over any one. On the other hand, we are to see that tyranny is removed if tyranny exists in the State in any shape, in any form or in any place, and we are here to co-operate with the official members and the Government so far and so long as the interests of the people of the State do not conflict with that of the policy of the Government.

MR. T. K. VELU PILLAI (*Trivandrum-Urban*) : Sir, I rise to oppose the amendment. My reasons are the following, The procedure followed in the House of Commons is not applicable to the procedure in this House. There, as everybody knows, the work of the Government is conducted by a majority, whereas in Travancore the Government is not responsible to the Legislature except in perhaps a qualified foreign sense as opposed to a legal sense. The precedents of the House of Commons on a question like this are very delusive so far as the powers of this House are concerned, not that this House should not have enlarged powers but the question is whether under the Statute this House can exercise any such authority. I first raise a technical objection and I presume that it is an objection which will not be successfully met. The statute says that the presiding authority shall have the power to adjourn a meeting. It is the discretion of the President or the Deputy President or any member from the panel of Chairmen who presides. This House has no power to go against the provisions of the Statute.

[Mr. T. K. Velu Pillai.]

Secondly, Sir, it was observed that the Dewan-President will be in a delicate situation to take the responsibility of deciding whether he should go on with the business of the House or adjourn. It now appears to my mind that when that gentleman becomes the Dewan of Travancore and the President of the Assembly he takes full responsibility for his act. If he believes a certain course is right, he must move accordingly. If he believes a certain course is wrong, he must act in conformity with that opinion. What is at the back of the member's mind is not a factor which he should take into consideration in deciding upon the question of law according to the rules in the Statute. So that, Sir, while recognising the warmth of the feeling, I appreciate some members when they say that they shall have larger rights. I am in favour of that being done. But at the same time, I must oppose any effort to whittle down the provisions of the statute, to understand the provisions in a different sense from which it is intended to operate and take away that power which His Highness the Maha Raja, when he signed the Sign Manual of the Regulation, has vouchsafed to the President or any, other person presiding.

MR. S. J. NAIR (*Nedumangad*): May I know whether this amendment is intended for the convenient transaction of business in the Assembly or for larger powers being conferred on the members of the Assembly?

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): I am talking of chalk and my friend is talking of cheese.

I have no complaint on that matter. I am relying on the sections of the statute and this House will never think of powers beyond those conferred by the statute. So that, Sir, whatever may be our desire to have more powers and I am second to none in that desire, I must oppose this amendment because it collides with the statute.

MR A. THANU PILLAI (*Trivandrum—Rural*): Am I to understand that it is *ultra vires*?

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): Certainly.

MR, K, R. ELENKATH (*Kalkulam I*): In that case, I want a ruling as to whether it can be discussed in this House.

PRESIDENT: He is arguing against the amendment; and while doing so, he thinks it impinges on the provisions in Regulation II of 1108. He is therefore perfectly right.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Sir, let me submit that I am not much impressed by the argument of tyranny advanced by my friend Mr. Paramesvaran Pillai (*Hear, hear*). He says that the Government members are in a minority in this House and the majority should not be allowed to tyrannise over the minority. If that position is well founded, it comes to this that the official members with the Dewan, who form the minority, may be allowed to tyrannise over the majority (*Hear, hear*). Therefore that is not a sound argument to

oppose the amendment. Anyhow a change is desirable. I see my friend Mr. Paramesvaran Pillai is prepared to accept the change that instead of the word "Dewan" "whoever presides at the sitting" may be given the power to continue the sitting. There is a provision in the statute itself authorising the President to adjourn. If the President can adjourn the House, he may be trusted to continue its sittings. Section 10 dealing as it does with adjournment is not in our way. I am moving an amendment, therefore, upon the amendment of Mr. Asan to that effect.

As for the other question in Mr. Asan's motion, I must admit at once that there is something unworkable in regard to the commencement of the sitting of the House. How is that to be decided upon by a vote of the House before the House sits? That is the difficulty. It was pointed out that ordinarily a motion may be introduced for that. That can be done only if the President allows it. Again the authority goes into the hands of the President for the purpose of regulating the sitting and adjournment of the House. Even if you are going to pass this rule, the regulation of the sitting of the House will still be with the President, for, unless he relaxes the rule, nothing can be done.

Then my friend Mr. Paramesvaran Pillai said that the Dewan as an outside authority will be in a fairer position to decide the question than a majority of the House. Whether as a matter of fact the Dewan decides anything at all I do not know for he never takes into consideration the amount of non-official business that we have to go through. He consults officials. So I cannot think that there is anything like a decision of the Dewan for the arrangement of the sittings of the Assembly. Very probably, had there been a motion for continuing the sitting of the Assembly at the instance of the Assembly that would have been welcome. If, therefore, the amendment may be so modified as to extend the number of days at the instance of the House, that will be good. But I fear the statute may not permit anything of the sort. So I find considerable difficulty in the matter of accepting the amendment in its entirety, while I am for a change in the interests of the conduct of the business of the House. The change that it may be left to the President may be conveniently introduced. That is all I have to submit on this particular amendment.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): I support the amendment; and in doing so I wish to submit that the amendment introduced by Mr. P. K. Narayana Pillai would obviate a good deal of difficulties.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Has any amendment been moved?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I suggested two amendments. *viz.*, that instead of the expression 'Dewan' occurring in the Standing Order, 'whoever presides or President' may be substituted. I would also say that any particular sitting of the Assembly may be extended on a motion carried in the House.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): The amendment so far disclosed to the House is, I think, the substitution of the word

[Mr. E. V. Krishna Pillai]

'President' for the word 'Dewan' and it is that amendment that I support.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether by that amendment, the expression 'Deputy President' will also come in under the word 'President'?

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): It is in that sense that I support the amendment.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I wish to know what is the amendment moved by Mr. P. K. Narayana Pillai.

PRESIDENT: For 'Dewan; substitute 'President' in the section.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): So, Sir, what I understand to be the amendment brought by Mr. P. K. Narayana Pillai to the amendment sought to be introduced by Mr. Asan, is the substitution of the word 'President' for the word 'Dewan'. Mr. Narayana Pillai promises to bring another amendment with which I am not concerned at present. Why I wish to support the amendment is that it obviates a good deal of difficulty as is evinced from the wording of sub-clauses (1) and (2) of Standing Order 5 because it is very likely that the Dewan might appoint that a particular meeting on a particular day might extend to 4·30 in the evening. But that particular individual who happens to preside over that meeting on that day might find it necessary to extend the sitting till 5·30 or 6·30 or 7·30 as the case may be. Strictly under the law as specified here, it is not within the authority of the President to do so in the face of the decision arrived at by the Dewan in regard to the sitting of the Assembly, because the meeting of the Assembly shall, subject to the direction of the Dewan, ordinarily commence at 11 and ordinarily terminate at 4·30. That is section 95. Suppose the Dewan issues an order that the meeting of the Assembly on a particular day should rise at 4·30 and that the individual who presides (may be Deputy President or anybody from the panel of Chairmen) finds it necessary or feels it feasible that the sitting of the House may be extended up to 7·30. Then the clash comes in between the authority of the Dewan as contemplated by the section and the decision of the President who is directly concerned with the working of the Assembly. So if the word 'Dewan' is removed and the word 'President' is put in, certainly that will facilitate the working of the Assembly in a better scale.

PRESIDENT: I think this is one of those cases in which the President should try and clarify the issues before House. There are, all will admit, certain functions of the Dewan for the purpose of bringing a session of the Assembly into being. That is to say, for summoning together its members on a particular day and at a particular time. Then what follows is when the House is in session the next item of work of the President, whoever happens to preside, is at what hour to adjourn the session each day in conformity with the bulk of work before the House. So, therefore, we have to view this question from both the stand-

points; first summoning the House; secondly when the House is in session to adjourn it in conformity with the bulk of work before the House.

A good deal has been said in regard to the use of the word 'Dewan' in Section 5 of the Standing Orders. To my mind the framer of that Standing Order had to keep in view the wording of the Statute itself. In this Statute, as Honourable members will notice, Section 10, clause (1) reads—

> "Our Dewan may appoint such times and places for holding the sessions of either Chamber of the Legislature as he thinks fit, and may also from time to time, by notification or otherwise, prorogue such sessions."

Therefore it is a peremptory direction in the Statute itself. Therefore, so far as the power of the Dewan is concerned, to summon the House to begin its work he has got the privilege of fixing the time and fixing the place and that he is bound to do under the Statute itself.

Then, when the House is in session, whether it should be given the right to adjourn the session to such time and to such places or to continue the discussion until such time as it pleases, that is a question again which has not been left to the independent judgment of the Dewan for, in the same Statute from which I am now quoting, we find that clause 2 says—

> "Any meeting of either of the Legislatures may be adjourned by the person presiding."

Therefore for the purpose of adjourning, the Statute vests the power in the person who happens to preside. It may be the Dewan President, it may be the Deputy President, it may be one among the panel of Chairmen or if all of them are absent it may be any member whom the House votes to preside. He has got the power to adjourn whenever he thinks. He is able to do it. When the rules are so very clear, we have to decide whether the Standing Order 5 (1) will operate in such a manner as to deprive the House of the right which is not provided in the Statute of summoning the House on any day at any time the Dewan chooses. As the Dewan, he has been given that right. Therefore when the Dewan summons the House, he does it on his own responssibility and in exercise of the powers that has been conferred upon him under Section 10 of the Statute. There it is said he should fix the place and the time at which the House must meet. Having done that he becomes one of the ordinary presiding members of the House. In so far as the adjournment motion is concerned, he has not been given any special powers for that purpose. Himself the Deputy President or some others will have to get that power. In view of the position, as it stands, the only question to be considered is whether this Standing Order has been wrongly worded as to conflict with the idea of the Statute or whether its working would in any way inconvenience the House. Well, as regards the latter, I would assure the House that no President with the responsibility for the conduct of the work before the House would be so indiscreet, I cannot use tyrannically as to consult with individual convenience and not to consult the exigency of work and that at a particular hour with a view either to take part in some

[President.]

tennis party or some other game to adjourn the House, regardless of the conduct of the work before the House. If the House feels that it should get through any business before the House provided for the day, it is open for any member of the House to stand up in his place and suggest that the House shall continue to work until the measure has been passed or disposed of. If the President sees that there is a large volume of opinion in favour of continuing the session, he will ordinarily with due respect to the views of the House continue the session. Honourable members who are watching the proceedings of other Chambers would have noticed that, in the case of the Legislative Assembly, the House has sat until six or seven and even midnight in accordance with the necessity of the time and carried on its business till dinner. These are matters which require adjustments. The goodwill between the Chair and the members should not be tied down as in Standing Orders. As it is, the Standing Order is sufficiently clear. I think it my duty to clarify the position so that those members may know what the real position is.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : In view of that, does not the substitution of the word 'President' create difficulty ?

PRESIDENT : We have to follow Section 10.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : My point is that the Standing Order does not follow the Statute.

PRESIDENT : So far as the word 'Dewan' is concerned, it does not. So far as the others are concerned, it does. If the Standing Order is verbatim reproduction, there is no need for it. Then about the proviso which is contained in the Statute itself. It does not tie down the President or the Dewan. It simply says "ordinarily it shall begin at 11 o'clock and ordinarily it shall close at 5". But the other day we had an experience of as to how long we sat. Whether it was for a good purpose or bad, I am not going to say. At any rate, the President was quite willing to carry on the proceedings until such time as he thought it was necessary. If there is a similar necessity, arising from whatever parts of the House it may, with due respect to the views of the House, carry on the proceedings as long as is necessary.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Sir, I support the amendment moved by Mr. Asan. I am not in favour of any arguments advanced in this House which would have the tendency of curtailing the powers of this House or taking away whatever rights that are vested in the members by the Statute, the Rules and Standing Orders. Sir, it was pointed out that, in the Legislative Assembly as well as in other Councils, this matter is left to the discretion of the authority presiding.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : Sir, I rise to a point of order. Is the House in order in discussing about the powers of the House which are given under the Statute ?

PRESIDENT: Obviously not.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I believe that we are now considering the amendment of a Standing Order as defined by the Statute. The main object of a Standing Order is to regulate the conduct of the House. That will be seen from Section 26 of the Regulation. It says: --

"It shall be lawful for either Chamber of the Legislature to make from time to time Standing Orders for the conduct of business and the procedure to be followed in that Chamber in so far as these matters are not provided for by Rules made under this Regulation."

MR. T. K. VELU PILLAI (*Trivandrum-Urban*): Do not the words 'Standing Orders' mean Standing Orders framed in pursuance of the Regulation?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Certainly, Sir, in pursuance of the Regulation. The question before the House is whether this House has any power to amend the Standing Orders. If it is within the power of this House to effect an amendment of the Standing Orders, certainly there is provision in the Rules as to the way in which such amendments shall be effected. One of my friends objected to this on the ground that there is the Statute that stands in the way. My own submission is that, in the light of Section 26 in the Statute which in so many words authorises this House to effect an amendment in the Standing orders, there is no difficulty so far as the Statute is concerned.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*): Can the House amend a Standing Order in such a way as to affect the Statute?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Certainly not. No Standing Order can be amended in such a way as to conflict with the wording or the spirit of the Statute. But my submission is that this Standing Order that is now under discussion does not affect the Statute. So far as I have been able to read and understand Section 10 Clauses (1) and (2), my view is that the present amendment does not affect the Statute. Clause (1) relates to the power vested in the Dewan as the head of the administration to summon a session. Clause (2) says: -

"Any meeting of either Chamber of the Legislature may be adjourned by the person presiding."

It may be the Dewan or the Deputy President or a member from the panel of Chairmen. Any one of them may be presiding. My submission is that the power is given only to the person who is presiding to adjourn the session.

MR T. K. VELU PILLAI (*Trivandrum-Urban*): Does not that authority who presides, either the President or the Deputy President or one among the panel of Chairmen, use a discretion in adjourning?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*); My answer to that objection is that there is that discretion and we all know that the discretion will be used by the person presiding, whoever he may be, in the best interest of the conduct of the work of the House. But our experience—

MR. T. K. VELU PILLAI (*Trivandrum—Urban*) : If the person presiding is to conform to the wishes of the House expressed in a majority of votes, can there be any objection ?

MR. PACODE A. NARAYANA PILLAI (*Vilavancod*) : My submission is this that if the House has got this power, no doubt, there is the discretion of the President also ; why not that power be given to the members of the House ? Of course we do not think that the discretion will be used by the President presiding against the interest of the members of the House or the conduct of its work. My submission is that this is a legislative body and it has got certain powers vested in it under the law. It is better that in a matter relating to the conduct of the work, the discretion be given, and the judgment be passed, by the House and not by a single individual even if he happens to be the best President that we can think of. It is a matter that has got to be decided by the House, the whole House or the majority of the members of the House exercising their discretion in a particular way. Of course, there will be the conflict of interest with regard to some particular kind of work. In some cases an adjournment may be effected without any difficulty.

MR. K. R. ELENKATH (*Kalkulam I*) : Even if this amendment is passed, will it be incumbent on the President to necessarily allow a short notice amendment ?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*) : Certainly not.

That will not take away the power of the President under the Statute. That is another reason why I say there should not be any objection from any part of the House that the House should not be given this power, namely the power to decide as to how the conduct of business should be effected with reference to time. So I support the amendment.

PRESIDENT : The House will now rise and meet again at 1-45 P. M.

The House adjourned for lunch at 1 P. M., and re-assembled at 1.45 P. M., the Deputy President presiding.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Before we proceed, may I request the Chair, in view of the fact that we have very many important resolutions for discussion and in view of the fact that the amendments to Standing Orders may take up much time and that as a result the resolutions may not come up for discussion, under Section 10, clause 2, to exercise his discretion and extend the time up to 6 P. M. to-day or even later if necessary.

DEPUTY PRESIDENT : This is a matter which can be considered after we finish the present business.

MR. M. SIVATANU PILLAI (*Torala*) : In opposing the motion, I wish I should not be misunderstood by the non-official section of the House for my opinions. At the outset, I may say that the Law Member's argument in opposing this motion, particularly with reference to the official section being in a minority and the non-official section in a majority is not at all convincing to this House. I do not

understand why the Law Member should get so much scared away by the implication of this amendment which might, after all, be a question whether the House should sit longer for a discussion. I find absolutely nothing to take that argument seriouly. With regard to the practice obtaining elsewhere, I am prepared to follow it, but I would rather take my position on the question this way. I would like to know whether, after all, Mr. Asan has made out a case for an amendment of the sort that is proposed under Standing Order No. 5. In the course of debate, it was suggested by certain members that the amendment as its stands goes a great way to help the House to adjourn or to carry on its business. I would like to know whether there is any impediment that is sought to be removed by this amendment. The Law Member himself suggested it is open to the members to refer the matter under certain particular exigencies to the President, that is, whether the House is to sit for longer hours. It does not in any way override the inherent right of the House but it is open to it to make an appeal to the Dewan President. If such a course was resorted to and found impracticable, then I can understand Mr. Asan's motion. There has not been a single instance of that sort quoted by him as to justify his proposal to amend the Standing Order in that way. Whatever that may be, there must be a ripe occasion for the House to ask for such a course of action or to warrant an amendment as now proposed. No such case has been made out by the mover. Therefore I cannot persuade myself to see eye to eye with Mr. Asan's amendment. With these words, I oppose the amendment motion.

RAO SAHIB S. PARAMESWARA AIYAR (*Nominated*): I oppose the motion of Mr. Damodaran Asan, Section 10 (2) of the Regulation lays down that any meeting of either Chamber of the Legislature may be adjourned by the person presiding. Nothing is stated there about the opinion of the House which should be binding on the person presiding in the matter of adjournment. Standing Order 5 (1) lays down that while in session the meetings of the Assembly shall subject to the direction of the Dewan ordinarily commence at 11 A. M. and ordinarily terminate at 4-30 P. M. It seems to me, Sir, that this Standing Order is in conflict with Section 2 of the Legislative Reforms Regulation and as such requires amendment. The only amendment that is needed is that the word President be substituted for the word "Dewan" in the Standing Order as proposed by Mr. P. K. Narayana Pillai. If that amendment is carried, Section 5 (1) will be quite in accordance with Section 10 (2) of the Legislative Reforms Regulation. Far be it from me to suggest that this House should not have enlarged powers. The procedure for that is to have the Legislative Reforms Regulation amended which is in the gift of the sovereign. I do not wish to refer to that. So far as we are concerned, all that we can do is to see that the Standing Order 5 (1) is amended in accordance with the provisions or in pursuance of the spirit of Section 10 (2) of the Legislative Reforms Regulation and in that view I support Mr. P. K. Narayana Pillai's proposal.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Sir, I rise to oppose the amendment of Mr. Asan. My first point is that this amendment is out of order. It will be seen that the amendment covers two matters, namely, the time of commencement of a meeting and the time of adjournment thereof. As regards the adjournment of a sitting, there is a clear provision in the Statute itself to the effect that it is within the direction of the President to adjourn it. If this Standing Order is amended as proposed by Mr. Asan, it will take away the discretion vested in the President by the Statute in this matter and to this extent it will be *ultra vires*. In regard to the other matter *viz*., the time of commencement of a meeting of the Assembly, it cannot be said that the question is free from doubt. The amendment proposed does not take away any discretion vested in the President in this matter. For, in Standing Order 5 (1) the words "while in session" do not refer to the summoning of a session. Whatever it is, a portion of the amendment being certainly in conflict with the Statute, the amendment cannot be said to be in consonance with the provisions of the Statute. So the amendment is out of order.

My second point is that practical difficulties will be felt if the amendment is adopted. Mr. Kayalam Paramesvaran Pillai, who opposed the motion, put it on the ground that there is no definite provision under which a motion for recording the decision of the Assembly can be moved. Even supposing there were any such provision, there will be practical difficulties in the way. Supposing we had power to move a motion of this nature for recording the decision of the Assembly, how is the decision to be recorded? When is it to be recorded? All these questions will arise. For instance a member may move a motion at 2 P. M. to record the decision of the Assembly. If the motion is defeated, it will be open to another member to move a similar motion after some time and so on and so forth. Such a state of affairs will create practical difficulties. On these grounds, I oppose the amendment proposed by Mr. Asan.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): As I had no occasion to speak on this particular amendment, I was not able to give instances that my friend Mr. Sivatanu Pillai wanted. I shall presently show the reasons for suggesting this amendment. Sir, first of all what I say is I do not find any difficulty in introducing this amendment on the ground that that is against the provision in the Statute. Section 10 (2) of the Legislative Reforms Regulation says that the person presiding shall adjourn the meeting. But Standing Order 5 (1) says that the meeting shall ordinarily commence at 11 A. M. and terminate at 4-30 P. M. subject to the direction of the Dewan. Even as it is, the Standing Order will be *ultra vires* if the argument of those who have opposed it is to be accepted. If the right to adjourn vests in the person presiding, how is it that the Standing Order 5 (1) says that the adjournment shall be subject to the direction of the Dewan. So if that argument is to be accepted, then the present Standing Order is *ultra vires*. If it is *ultra vires*, it is void. If the Standing Order itself is void, nobody.

need fear my amendment is valid. Because it is an amendment to a void clause.

MR. M. SIVATANU PILLAI (*Tovala*): Am I to understand from the member that 'sitting' is not different from adjournment of the House?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): A sitting will terminate only by adjournment. Supposing even after 4·30 the meeting continues and a member moves an adjournment. Then only, the sitting terminates. That is what I understand. Sir, I have looked into the procedure of other Provincial Councils and what I understand is this. The President as the presiding authority may have the right to adjourn the business under certain abnormal conditions. There may be grave disorder in the House. Even though Rules say that the meeting shall continue up to 6 or 7, the President is bound to adjourn sometimes on account of disorder and even to avoid a breach of the peace. On such occasions, the President will be compelled to adjourn it and so some residual power must rest in the President. But the President is bound by the Standing Orders of the Assembly. Suppose the Dewan from Bhaktivilas directs that the House shall adjourn at 1 or 2 o' clock under Standing Order 5 (1), I am asking whether the President is not bound to adjourn it. The person presiding could not say that under Section 10 (2) he has a right to continue the sitting as long as it pleases him. My submission is, the present wording of the Standing Order itselfs shows that that objection is not substantial. My only object is that the power that is now vested—

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I ask whether there is not a conflict between the provisions of the Statute and those of the Standing Orders?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In this case, as I submitted, there is no conflict between the Statute and the Standing Order. The Standing Order provides for the usual occasions, while the Statute reserves a right to the person presiding to be used on abnormal occasions. What I say is that the Standing Order as it stands should be amended by us and it does not rest with the Law Member or the framers of the Standing Order to say that the present amendment is *ultra vires*. Then the question is, is the House competent to amend the Standing Order and if so whether there is any necessity to do it.

Well, Sir, I have felt such a need on many occasions. I shall point out instances as required by Mr. Sivatanu Pillai. Though the Namboodiri Regulation was introduced in the Council immediately after the election of 1100, the member who moved it was not able to see that the Bill is passed into law, during the period of his membership. So another member took up the responsibility of piloting it in the next Council and about four and a half years after its introduction it came up for second reading. At one meeting all the clauses except one clause were passed by the Council and it was 5 P. M. and the mover said that it was an important piece of legislation and some extra time say 15 minutes, if allowed, will enable the House to pass that legislation. He

[Mr. A. S. Damodaran Asan.]

pointed out that otherwise the passing of the Namboodiri Bill will stand postponed to a considerable period. Therefore the mover of the Bill requested that the House may sit for some extra time. It was the Dewan-President who presided on that occasion. He replied that there is no guarantee that it will be passed in 15 minutes and the House was adjourned by the Dewan-President. With what result? The legislature was working at it for above five years and the benefit of that piece of legislation was denied to the Namboodiri community for another six months.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): May I know from the member, if the present Standing Order was then in force?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes, almost the same.

DEPUTY PRESIDENT: I fear we are travelling far from the implication of the amendment.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Because Mr. Sivatanu Pillai wanted an instance, I was citing this.

DEPUTY PRESIDENT When I say, we are travelling far beyond the limit, there should be an end of the matter.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In the old Legislative Council for voting on the Budget we were getting 5 hours on one day for the discussion of one Demand. Because 5 hours were granted as one full day, half a day was calculated as two and a half hours. Since the question time takes one full hour and the lunch interval three-fourths of an hour, the time that is now usually obtained for the purpose of discussing demands on grants is three and three-fourth hours for a day. It was pointed out that in the old Council we were getting two and a half hours for half a day. The President was requested to sit for some time more to do justice to the work entrusted to us. Now we have an Assembly consisting of 72 members while the old Council had only 50 members.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): With reference to Mr. Asan's instance, may I know whether that defeet will be remedied if the amendment is passed?

MR. A. S DAMODARAN ASAN (*Mavelikara*): Yes.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Then may I know how he will make the motion without notice?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): If the member will please wait, I shall explain.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether one member could address another directly?

DEPUTY PRESIDENT: He has done that through me.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): So we appealed to the Chair to extend the time of the sitting during the period of voting on demands by half an hour or three-fourths of an hour, and that appeal

had not any effect. These are some of the instances in which we felt that we are not able to do full justice to the work. The time allotted is limited and the Chair was not showing that indulgence which we expected from it and which is usually shown by the Presidents of all other Legislative Councils.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It is quite improper for the member to make insinuations on, the dignity of the Chair.

DEPUTY PRESIDENT : I think the Law Member is absolutely right. The Chair did not want to express an opinion until it was formally put before the House. The Chair has given his ruling on particular points on various occasions. If subsequently any member raises this question and adversely comments on the Chair's rulings and the Chair's decisions, the dignity of the House and its usefulness will be very greatly impaired. I therefore trust that the members will not hereafter try to do that.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : By referring to these I was showing the conduct of the Dewan by applying Section 5 (1).

DEPUTY PRESIDENT : Anyhow there is the ruling.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Then the question now is whether there is a necessity to bring in this amendment, if this amendment is put into effect, whether it is workable and whether it would be of sufficient help to get an extension of time. The Law Member was saying that there was no particular provision for making motions for extending the time. But under the Legislative Reforms Regulation, Section 62, it is stated that a matter requiring the decision of the Assembly shall be brought up by means of a question put by the President on a motion by a member. Save as otherwise provided for………………"The Law Member is qute right when he says that there is no particular Section which would enable a member to move a motion for this particular purpose. A necessity like that comes into existence only now. But there is that general provision. If the Chair finds that a motion should be allowed without sufficient notice, there is absolutely no difficulty in the way of any member who wants to make a motion for this purpose at any time. If the Chair rules otherwise, of course there is no remedy. We hope that no necessity will arise by which the Chair will refuse to consider or to ascertain the views of the House on a matter like this. If that contingency arises and there are no ways, it is open to get amendments to other Standing Orders.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Supposing the President is not inclined to adjourn the House or waive the notice?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Surely the President will be reluctant to extend the sitting of the House of his own accord. But he will be glad to waive notice and see whether the House really wants to extend the time of the House. So, what I suggest is, it is our hope that the President will not refuse to waive notice and allow us to

[Mr. A. S. Damodaran Asan.]

make the motion. If we find any difficulty with regard to that matter, we can make amendments to the Standing Orders and see that motions for such purposes are admitted even without notice.

Then it was stated that, in the Legislative Assembly and other places, the sitting used to continue till midnight. What I have to say is that that is not the case here. Of course, in the Reformed Council of 1097 during the time of Mr Raghaviah, the sittings used to continue till 7-30 P. M. in cases of emergency. Subsequent to that, there were only one or two occasions on which the sittings continued after the usual hour.

DEPUTY PRESIDENT: We did sit for longer hours yesterday.

MR. A. S. DAMODARAN ASAN (*Mav likara*): That is why I said that there were one or two occasions.

As to the objections raised by the Law Member, I must really say that I was not prepared to hear such arguments advanced by him against the motion. What he fears is that the Government members being a small minority there will be no—

DEPUTY PRESIDENT: I am very reluctant to do what I am doing. But I am obliged to do so. Mr. Asan was saying just now that he is not prepared to hear the arguments advanced by the Law Member. If so, how can he answer or criticise the arguments?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): All that I said was I was so sorry that it came to me as a surprise and not that I would not hear it. What the Law Member said was that it would lead to a difficulty of a minority being tyrannised by a majority. Sir, His Gracious Highness the Maha Raja, when he enacted this Legislation, knew full well that there are only 10 officials and there are 62 non-officials elected and nominated. The reason why he gave such a large preponderating majority to the non-officials is the fact that the Government must be able to so conduct the business of the Assembly and Council as to enlist the support and sympathy of the non-officials. If the Government members are unable to do that, my point is that they are not competent to hold the position that they hold now. It cannot be said that the Government members are unable to persuade the non-official members to their view-point. That is their duty. Sir, it is the rule of the majority that we follow here. Otherwise all the resolutions that have been passed must be turned over the other way. Similar is the case in regard to legislation. This argument of the Law Member is the most untenable agreement I have ever heard.

Then it was stated that the discretion will be better exercised if the authority was vested in the Dewan-President. If that argument is accepted, this Assembly will stand self-condemned. Sir, is this Assembly going to condemn itself by saying that the decisions arrived at by the representatives of the people will be partial

or will be in any way against the interests of the country and that the judgment of a single individual like the Dewan will be more acceptable? Of course, we cannot accept that argument. I must at the same time say that it should not have been seriously put forward in this Assembly. My submission is that it is absolutely necessary to enable members of this House to carry out their duties to the satisfaction of the public that they must have power to extend the time if they feel that the public interests demand it. I am sure this House will not be carried away by the arguments of the Law member, and all the non-officials and officials will unanimously support the amendment that is now proposed.

DEPUTY PRESIDENT: I do not think it is fair either for Mr. Asan or anybody to say that the House should not be carried away by any gentleman's arguments. A member is at full liberty to express his views and it is for the others to draw inferences of their own.

MR. N. E. VARUGHESE (*Tiruvalla I*): I move that the question be now put.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): As mover of an amendment, am I not entitled to a voice?

DEPUTY PRESIDENT: Have you formally moved any amendment?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Yes; and Mr. E. V. Krishna Pillai supported it also. I suggested that the word 'President' be substituted for the expression 'decision of the Assembly'. If necessary, I shall now put it down on paper.

DEPUTY PRESIDENT: There is no use in your putting it down on paper and moving it formally *now*. We are not *now* concerned with future amendments. The question now is whether there is any amendment before the House.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): No 'future' amendment, Sir. I have already placed it before the House, and it has been supported by Mr. E. V. Krishna Pillai.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): So far as we are aware there is only one amendment before the House; and there is a closure motion with respect to that.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I have moved an amendment to that amendment before the House. I am not very particular if the House does not want it, Sir.

DEPUTY PRESIDENT: I learn that there is no formal amendment before the House.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I suggested an amendment to the amendment in view of certain pre-existing provisions in the Rules and Regulations. I thought the word 'President' would be more in keeping with the rest of the Rules and Standing Orders. I suggested that amendment and Mr. E. V. Krishna Pillai actually said he was supporting me.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If you will permit me, Sir, I would suggest the deletion of the expression 'and ordinarily terminate at 4-30 P. M.'; because it has been urged here that there is some conflict between this provision and the provision in the Regulation in regard to adjournment. Without going into the merits of the other amendments, Government are prepared to accept that amendment for the deletion of the expression 'and ordinarily terminate at 4.30 p. m.', so that the provision in the Regulation will prevail in the matter of adjournment. The Regulation provides that 'any meeting of either Chamber may be adjourned by the person presiding'.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): What about my amendment to substitute the word 'President' in the place of 'decision of the Assembly' in Mr. Asan's amendment?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There will be some difficulty in regard to that.

MR. A. THANU PILLAI (*Trivandrum—Rural*); May I know what is taking place in the House, Sir?

DEPUTY PRESIDENT: Let me hear the Law Member.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): With regard to Mr. P. K. Narayana Pillai's amendment, it cannot be accepted; because, the person presiding can do anything only after the commencement of the meeting. Who is to decide when the sitting should commence? Certainly, that has to be done by the Dewan.

DEPUTY PRESIDENT: The only question now before the House is whether there is any amendment, now before the House, proposed by Mr. P. K. Narayana Pillai. The Law Member has expressed the willingness of Government to accept a certain amendment; but that is not identical with the one suggested by Mr. P. K. Narayana Pillai. The readiness of Government to accept any other amendment does not now concern us. What we are now concerned with is whether there is a formal amendment put before the House by Mr. P. K. Narayana Pillai. It is on that question that I wanted enlightenment by the officials, the functionaries who have got the duty of taking down what is taking place here. Though I heard Mr. P. K. Narayana Pillai suggesting some alteration in Mr. Asan's amendment, and some other members also speaking of what they called Mr. P. K. Narayana Pillai's amendment, I am not quite sure that there has been a formal amendment, moved by Mr. P. K. Narayana Pillai and put before the House. Mr. P. K. Narayana Pillai himself has conceded that there is no formal amendment but that he would now put one on paper if the Chair would permit him. That makes the position of the Chair very easy. The Chair is not prepared to accommodate Mr. P. K. Narayana Pillai. (*Laughter*). I shall now put the motion for closure to the vote of the House.

The closure motion was put to vote and carried.

The amendment as reported by the Select Committee was then put to vote and lost.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

A poll was taken, and the House divided as follows:

AYES—25.

1 Mr. P. Chidambaram Pillai
2 „ A. S. Damodaran Asan
3 „ A. Easwara Pillai (*Kottarakara*)
4 „ K. R. Elenkath
5 „ S. J. Nair
6 „ K. P. Krishna Menon
7 „ Pottayil S. Krishna Panickar
8 „ N. K. Krishna Pillai
9 „ Puthupalli S. Krishna Pillai
10 „ T. Krishna Pillai
11 „ K. Kunjukrishna Pillai
12 „ C. V. Kunjuraman
13 „ M. K. Madhavan Pillai
14 Mr. M. N. Nair
15 „ K. A. Narayana Pillai
16 „ Pacode A. Narayana Pillai
17 „ S. Nilakanta Pillai
18 „ Edavanatt S. Padmanabha Menon
19 „ Kainikkara M. Padmanabha Pillai
20 „ V. Ramakrishna Panickar
21 „ R. Raman Pillai
22 „ A. Thanu Pillai
23 „ N. E. Varughese
24 „ V. K. Velappan Nair
25 „ T. P. Velayudhan Pillai

NOES—33

1 Mr. N. Abdur Rahiman Sahib
2 „ K. C. Abraham
3 „ T. K. Alexander
4 „ V. T. Chacko
5 „ S. Chattanatha Karayalar
6 „ A. Easwara Pillai (*Kalkulam II*)
7 „ Antony George
8 „ K. George
9 Miss. Hepzibah Gnanasikamony
10 Mr. M. Mahomed Haneef
11 „ T. S. Jayantan Nambootiri
12 „ N. John Joseph
13 „ J. M .Joseph
14 „ K. C. Karunakaran
15 „ T. T. Kesavan Sastri
16 „ K. M. Krishnan
17 Rao Sahib Dr. N. Kunjan Pillai
18 Mr. C. O. Madhavan
19 „ K. Madhavan
20 „ K. Mahomed
21 „ P. C. Narayanan Bhattatiripad
22 Srimathi T. Narayani Amma
23 Mr. G. Nilakantan
24 „ R. Nilakanta Pillai
25 „ N. K. Padmanabha Pillai
26 Rao Sahib S. Paramesvara Aiyar
27 Mr. Joseph Panjikaran
28 Rao Bahadur N. Ramanuja Aiyangar
29 Mr. K. Sankaran
30 „ M. Sivatanu Pillai
31 „ R. M Statham
32 „ T. C. Thommen
33 „ G. B. E. Truscott

NEUTRALS—6

1 Mr. T. C. Joseph
2 „ K. M. Kuriakose
3 „ P. K. Narayana Pillai
4 Mr. K. Padmanabhan
5 „ S. Thiraviam Nadar
6 „ P. K. Thomas

The amendment was lost.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): There s an amendment by the Law Member.

DEPUTY PRESIDENT: No, there is no such amendment. The next amendment is for the substitution of '5 P. M.' for '4-30 P. M'.

MR. JOSEPH PANJIKARAN (*Assistant Additional Head Sirkar Vakil*): I oppose the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, in support of the opposition—

MR. A. S. DAMODARAN ASAN (*Mavelikara*): On a point of order, whether a person who is not a member of this House can support a motion or an opposition. The Law Member can only now address the House.

DEPUTY PRESIDENT: So far as I can see, the word 'support' as now used by the Law Member, only means 'strengthen' that part of the case and as an officer of Government, Mr. Paramesvaran Pillai can adress the House although he cannot vote. That is the law.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, as the Standing Order now stands, the House has to sit, ordinarily, till 4-30 P. M. I would request the House to consider whether it is ordinarily possible for human beings to sit at a stretch from 11 A. M. to 5 P. M., and that for consecutive days at a stretch. It is a question of the powers of human endurance. Of course, in exceptional cases, the House may appeal to the Chair and sit beyond 4-30 or even 5 P. M. But, ordinarily, I submit the meeting must terminate at 4-30 P. M.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I wish to speak just a few words in support of the amendment. The only difficulty appears to be the limitations of human endurance and my opinion is that we must practise and try to work a little longer, Sir, the Parliament usually meets at a quarter to 3 P. M. and goes on till 11 o' clock at night, *i. e.*, for more than eight hours at a stretch every day, and even longer if deemed necessary.

DEPUTY PRESIDENT: I do not catch your meaning of the word 'Parliament' . do you mean the House of Parliament ?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes, Sir, the House of Commons; sometimes they even sit till day break. Their Ministers do not say that they could not sit longer than five or six hours.

MR. M. SIVATANU PILLAI (*Tovala*): Is there no difference between the climate in that country and in this country ?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yes, that is what I say , the climate is different, the people are different and the officers are different. (*Laughter*)

MR. K. R. ELENKATH (*Kalkulam I*): I do not wish to add many words in supporting the motion of Mr. Asan. By the amendment proposed by the Select Committee, hardly three quarters of an-hour is

sought to be gained for our work here, and that at the sacrifice of fifteen minutes of the lunch time. I do not see why the Law Member should grudge this. I hold that there is no substance in the opposition. I therefore strongly appeal to the House to vote for the amendment.

The amendment was put to vote and carried.

DEPUTY PRESIDENT: The next amendment is:—

'At the end of Standing Order No. 6 (1), add the following:

"But the number of days for the business of non-official members shall be increased by the Dewan if the Assembly is of opinion that the time allotted for such business is insufficient."

MR. JOSEPH PANJIKARAN (*Assistant Additional Head Sirkar Vakil*): I oppose the amendment,

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I wish to speak a few words in support of the opposition. Here it is not a question of human endurance. A much greater principle is involved in the amendment. As the Standing Order now stands, it is the Dewan who, after taking into consideration the state of business of the Assembly, has to allot the days for official business and non-official business. The House will not be in a proper position to appreciate the quantity or the nature of the business that may come in for consideration before the Assembly. I say, with all respect to the judgment of the House, that the House will not be in a proper position to judge how many days should be allotted for non-official business. In every Assembly that is constituted on our model, it is really left to the Government or an impartial authority like the Dewan, the Governor or the Governor-General, who is conversant with the business of the Government, to allot the number of days for official as well as non-official business. It must be conceded that that is the only workable arrangement so far as assemblies constituted on our model are concerned. Any other arrangement will work either injustice or may seem to be impracticable. For instance, if the Assembly is asked to decide the number of days to be allotted for non-official business, how is the Assembly in a position to judge of this and decide what number of days can be allotted for non-official business? Therefore, on a question of principle, it seems to me that the power of allotting the number of days for official as well as non-official business must be left to the Dewan even as it is left to the Governor-General in the Government of India and to the Governors in the Provinces. I shall not take much more time on this aspect of the question.

The Standing Order is to be amended so that the number of days for the business of the non-official members shall be increased by the Dewan if the Assembly is of opinion that the time allotted for such business is insufficient. Here again I ask the question how is the Assembly going to express its opinion when the Dewan is going to allot the number of days, and in what manner is it going to express its opinion? There is nothing to show it in the amendment. As for a decision, it may be pointed out that a decision can be arrived at on a question put from the Chair. But it is not stated how "opinion" is to be ascertained on any

[Mr. Kayalam Paramesvaran Pillai,]

matter. That apart, I will also say that this amendment practically defeats itself. It merely says that the number of days for the business of non-official members shall be increased. Increased by how much it does not say. Is it enough if it is increased by one hour or by one day? It really says that the number of days shall be increased by the Dewan if the Assembly is of opinion that the time allotted is insufficient. Really what the mover of the amendment has at the back of his mind is that, to the extent of the number of days the Assembly wants to sit, it should be increased by the Dewan. But this is not found in the amendment. So I am submitting for the consideration of the House whether it is worth while to accept this amendment which really does not say how and when the opinion has to be expressed and to what extent the number of days is to be increased by the Dewan.

I may also say that it may work difficulties in its actual working. For instance, the Council is sitting to-morrow and if the Assembly's sitting is to be extended by one day, the question will be whether the Council should be postponed or the Assembly should meet after the Council is over. That is also another aspect of the matter to be considered. In all these things, the best course will be for the leaders of the various parties to meet the Dewan sufficiently early, discuss the matter with him and ask him to allot a larger number of days.

MR. A. S. DAMODARAN ASAN (*Mavelikara*). In regard to this amendment three objections have been raised by the learned Law Member. One is that the state of business is known only to the Dewan and that the House itself does not know the quantity of business that has to be transacted here and so it will not be in a position to fix the number of days that should be allotted for non-official business. Sir, the agenda for the meeting is sent to the members sufficiently early, particularly the agenda of the legislative business. The non-official members, from the notices issued to them, could see how many days are allotted for the business of the non-official members. From these, they could ascertain whether the number of days allotted is sufficient or insufficient. If any of them feels that it is insufficient, he can immediately send a motion to the Secretary that the number of days should be increased. That motion could be taken up and discussed in this Assembly and a decision arrived at. There is absolutely no difficulty either in ascertaining the quantity of business that has to be transacted or as to the manner in which the opinion of the Assembly is to be ascertained.

The Law Member thinks that the amendment does not say by how many days it should be increased. Anyhow, if the Assembly is of opinion that it should hold three more sittings for its business, of course that will be intimated to the Dewan and a Dewan, who is responsive to public opinion and who is anxious to meet the opinion of the Assembly, will always be ready to extend the number of days as recommended by the Assembly.

Another serious contention raised by the Law Member was that the Council is going to sit to-morrow and if the Assembly's sitting is to be extended for to-morrow there will be difficulties by the overlapping of the two meetings. If this amendment comes into force and if the Government are sufficiently cautious in making their arrangements, they will not fix a day immediately following the last date of the Assembly's sitting for the sitting of the Council. On the other hand, they will see that a margin is left for allowing the Assembly to extend its sitting according to the wishes of the House. So there will not be that difficulty either.

We are really feeling very great difficulty because Government are not allowing sufficient number of days for transacting non-official business. In this year itself we have got only two days so far and probably we may be given another day in the budget session also. Altogether only three days are allotted during one year for transacting the business of the non-official members. Anybody would admit that this is quite inadequate to meet the needs of the non-official members. A number of Bills have been introduced on the non-official side and a number of other Bills will also be introduced if they get sufficient time. Very important resolutions which have to be discussed and on which decisions have to be arrived at by this House are sent by the members and we are unable to discuss those resolutions. Resolutions which have been ballotted for the last meeting are standing over for this meeting and we may not be able to finish even these resolutions At a meeting of the members of the Assembly and of the Council, it was decided that ten resolutions concerning the interests of the whole State must be brought up and discussed at this sitting of the Assembly. By ballotting we can take only six resolutions; and even with regard to these six resolutions I fear we may not be able to take a single resolution if the non-official members are given no voice in fixing the number of days. Anyhow, it is only a legitimate demand and I hope there will be unanimity, at least in this respect, on this side of the House.

MR. P. K. NARAYANA PILLAI (*Amlalapuzha I*): I quite agree with Mr. Asan's motion in this respect. We certainly feel that the number of days allotted for the transaction of non-official business is quite inadequate. This sort of allotting one day was a practice which was in vogue during the days of the superseded Council. Then, the number of non-official members was very much less. We have got now 62 non-official members and it is quite legitimate to expect that each member will have something by way of resolution or legislation to be brought up before the House. For the transaction of such business to say that a single day is sufficient is certainly niggardly.

It was said that the Dewan after looking into all this volume of business to be transacted by the House will fix the number of days judiciously. It is not possible. If it is possible for the Dewan to arrive at a decision in view of the business to be transacted, the Dewan would have seen the insufficiency of the days allotted for the transaction of non-official business. The very fact that *one* day is fixed by the Dewan for the

[Mr. P. K. Narayana Pillai,]

transaction of non-official business is itself indicative of the fact that the Dewan foresees nothing. How is it possible for the Dewan to make an estimate? He fixes the date for the commencement of the meeting of the Assembly as also the date on which it would terminate. Because the Statute says that non-official business also should be attended to, one day as a sort of grace is allowed for it. That is what he is able to do. He does not decide anything because he has no idea of the volume of business at the ensuing session of the Assembly. That comes into view only subsequently. The resolutions, the introduction of Bills, and so forth would come in only after ascertaining the day on which the Assembly would begin to sit. Therefore, it is only after the Dewan has fixed the days for the sitting of the House that the non-official business would be known. In such a case there is no meaning in contending that the Dewan settles the number of days keeping in view the non-official work.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) With the permission of the Chair, may I know from the member whether the Standing Orders contemplate that the Dewan should consider the state of *non-official* business before he fixes the number of days for a sitting of the Assembly?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*). Yes. At present the matter is left to the Dewan.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I wish to know whether a non-member can be allowed to put a question when a member speaks.

DEPUTY PRESIDENT; He is not a member of the House and he comes here subject to the disabilities of a non-member. The Law Member can address the House but he cannot do anything more.

MR. P.K. NARAYANA PILAAI (*Ambalapuzha I*); I am sorry I answered his question under the impression that he is still a member though under suspended animation.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I put the question with the permission of the Chair.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): I say it is only fair and legitimate that the number of days for the non-official business should be increased. To what extent it may be increased is a matter which we may leave to the good sense of the President or the Dewan, as the case may be.

DEPUTY PRESIDENT: The amendment before the House is:—

'At the end of Standing Order No. 6 (1), add the following:

"But the number of days for the business of non-official members shall be increased by the Dewan if the Assembly is of opinion that the time allotted for such business is insufficient."

The amendment was put to the vote of the House and carried

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I demand a poll.

A poll was taken with the following result.

AYES—55.

1. Mr. N. Abdur Rahiman Sahib
2. ,, K. C. Abraham
3. ,, T. K. Alexander
4. ,, V. T Chacko
5. ,, S. Chattanatha Karayalar
6. ,, P. Chidambaram Pillai
7. ,, A. S. Damodaran Asan
8. ,, A. Easwara Pillai (*Kalkulam II*)
9. ,, A. Easwara Pillai (*Kottarakara*)
10. ,, K. R. Elenkath
11. ,, Antony George
12. Miss Hepzibah Gnanasikamony
13. Mr. M. Mahomed Haneef
14. ,, S. J. Nair
15. ,, T. S. Jayantan Nambootiri
16. ,, N. John Joseph
17. ,, J. M. Joseph
18. ,, T. C. Joseph
19. ,, K. C. Karunakaran
20. ,, T. T. Kesavan Sastri
21. ,, K. M. Krishnan
22. ,, K. P. Krishna Menon
23. ,, Pottayil S. Krishna Panickar
24. ,, N. K. Krishna Pillai
25. ,, Puthupalli S. Krishna Pillai
26. ,, T. Krishna Pillai
27. ,, K. Kunjukrishna Pillai
28. ,, C. V. Kunjuraman
29. Mr. K M. Kuriakose
30. ,, K. Madhavan
31. ,, M. K. Madhavan Pillai
32. ,, K. Mahomed
33. ,, M. N. Nair
34. ,, P. C. Narayana Bhattatiripad
35. ,, K. A. Narayana Pillai
36. ,, Pacode A. Narayana Pillai
37. ,, P. K. Narayana Pillai
38. Srimati T. Narayani Amma
39. Mr. G. Nilakantan
40. ,, S. Nilakanta Pillai
41. ,, K. Padmanabhan
42. ,, Edavanatt S. Padmanabha Menon
43. ,, Kainikkara M. Padmanabha Pillai
44 Rao Sahib S. Paramesvara Aiyar
45. Mr. V. Ramakrishna Panickar
46. ,, R. Raman Pillai
47. ,, R. Sambasiva Aiyar
48. ,, K. Sankaran
49. ,, M. Sivatanu Pillai
50. ,, A. Thanu Pillai
51. ,, S. Thiraviam Nadar
52. ,, P. K. Thomas
53. ,, N. E. Varughese
54. ,, V. K. Velappan Nair
55. ,, T. P. Velayudhan Pillai

NOES—10.

1. Mr. K. George
2. ,, Rao Sahib Dr. N. Kunjan Pillai
3. Mr. C. O. Madhavan
4. ,, R. Nilakanta Pillai
5. ,, N. K. Padmanabha Pillai
6. Mr. Joseph Panjikaran
7. Rao Bahadur N. Ramanuja Aiyangar
8. Mr. R. M. Statham
9. ,, T. C. Thommen
10. ,, G. F E. Truscott

NEUTRALS—Nil.

DEPUTY PRESIDENT : The next amendment is, for Standing Order No. 12, substitute the following :—

"Questions which have not been disallowed shall be numbered and printed and copies thereof made available to every member as soon as may be. The numbers of the questions to be answered shall be included in the list of business for the day and printed copies of such questions and their answers shall be laid on the table half an hour before the sitting commences"

MR. JOSEPH PANJIKARAN (*Assistant Additional Head Sirkar Vakil*) : I oppose the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I also oppose the amendment. I wish to speak a few words in support of the opposition. The wording of the amendment consists of two parts. The first is that a printed list of all the questions should be circulated amongst all the members.

MR. M. SIVATANU PILLAI (*Tovala*) ; Who is opposing? Is it Mr. Panjikaran or Mr. Kayalam Paramesvaran Pillai?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : He has opposed and I am also opposing.

The second part provides that, when a question that has to be answered is brought forward, that question must be printed and placed on the table of the House at least half an hour before the sitting commences.

In regard to the first part, it seems to me that it can hardly serve any purpose. When a member gives notice of a question, he must know whether his question is admitted or not. And for that purpose, he is informed by the Secretary of the Assembly whether his question is admitted or not. And when a question is brought on for answering all members are given notice so that all can put supplementary questions. Apart from that, I do not see what purpose would be served by a copy of all the questions being sent to every member.

Then in regard to the second part of the amendment, when a question is supposed to be put on the floor of the House, why the answer should be furnished beforehand is not quite clear. In this respect, I may say that we are following the procedure in the Indian Legislative Assembly and also in the English House of Commons. In both those Chambers it is not the practice to send round a list of all the questions admitted. Nor is it the practice to place on the table of the House a printed copy of the questions, to be answered, along with the answers.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : Was it not the practice in the last Council?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; It was as it is proposed by the amendment. But then we were in the infant stage. We are growing and our ideal should be the method of procedure in the older Parliaments.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*) : Will it not save time?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It may perhaps save time. But we are progressing. When we were in the infant stage, we had the privilege of being supplied with printed answers.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): What is the practice in the Provincial Legislatures?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They are printed and placed on the table beforehand.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): So are they backward?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): They also may progress.

MR. M. SIVATANU PILLAI (*Tovala*) Will it not remove disability with reference to answers?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Can a question be put by a member of the House for the opinion of another member?

DEPUTY PRESIDENT: Certainly.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): When such disability is felt, that may be remedied. There are various ways of doing that But that does not mean that the House should go to the infant stage and continue to crawl. There is no reason to revert to the practice which we followed in our infant days. We should aim at Parliamentary efficiency.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*) *I*: What is the practice in Mysore?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not aware, but I know that in Madras they supply printed questions and answers.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Do they circulate the answers?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*); No, so far as I know.

I am asking, are we not making progress? In the initial stages, we required all such supports. But when we are acquiring Parliamentary efficiency, do we want to go backwards?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is there anything to justify that this is a practice of the infant days and we will be crawling if we adopt this?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is my argument. I am instancing the example of the Indian Legislature and the Mother of Parliaments.

MR. A. S DAMODARAN ASAN (*Mavelikara*): Was it so in these institutions in their infant days?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I do not know the history of the English Parliament on this matter. I shall be thankful if any member would enlighten me on that.

DEPUTY PRESIDENT: The right of questioning was only a late development in the House of Commons.

MR. KAYALAM PARAMESVARAN PILLAI (*Additionl Head Sirkar Vakil*): I know what is the procedure now. The question is put on the floor of the House and the Government member stands up and answers. Why should we go far behind that and say that questions and answers shall be placed beforehand on the table? To further elucidate the point, let us take an example. Lawyers are asking questions to witnesses in court and from the answers given by them supplementary *i. e.*, further questions, are asked. Council is not informed beforehand what answers will be given. When a member sends a question, he should be prepared to ask supplementary questions. I am also glad to find here that members are always ready with supplementary questions and I would respectfully suggest that the House would stultify itself if they demand this practice, with a view to enable the members to put supplementary questions. I trust that that argument at any rate will not weigh with the members. If that does not weigh, I do not think any other argument can weigh. This is the argument which Mr. Asan advanced with reference to this. So, I am saying, Sir, that there is no necessity for this innovation from the present practice. In the Indian Legislative Assembly, no innovation has been made over that practice. I would even suggest that it would be more manly to go by the present procedure.

MR. K. R. ELENKATH (*Kalkulam I*): I also rise to oppose the motion on the same ground on which Mr. Kayalam Paramesvaran Pillai has opposed. Mr. Paramesvaran Pillai has urged the reasons for the same. One of these or the main one is that it is not a sign of efficiency or development that we make by adopting this method and I do agree with him in the opinion that it is not in keeping with the progress of our Legislature which has grown beyond its infant stage. In days gone by, the practice of reading out papers was in vogue and it was no less a person than Mr. Watts who had very great respect for the Council that ruled it out. The object of that ruling was to enhance the prestige of the House. No doubt in Madras there is the practice of placing the answers on the table. That does neither mean that we should adopt that practice nor that we should look up to the Madras Council as our model. There is the British Parliament and the Indian Legislative Assembly which should be ideals to us rather than the Madras Provincial Council. On that ground, I oppose the motion.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): I rise to a point of order. Under Section 17, it shall not be lawful for the Assembly to consider and enact any measure relating to or affecting the provisions of the Regulation and the Rules thereunder. Rule 14 (8) provides that the questions shall be put and answers given in such manner as the President may, in his discretion, determine.

MR. KAINIKKARA M. PADMANABHA PILLAI (*Changanachery I*): I draw your attention to standing Order No. 13.

DEPUTY PRESIDENT: Standing Order No. 13 reads as follows:—

> "Questions shall be put and answers given in such manner as the President may, in his discretion, determine."

DEPUTY PRESIDENT: I find that the provisions in the Rules and the Standing Orders are the same in relation to this subject. Therefore there is no collision. If the Regulation or the Rules prevented, then it would have been out of order. Therefore we shall proceed with the item in the agenda.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): With regard to the arguments advanced by the Law Member, it is enough if I submit one or two points for the consideration of the House. If this amendment is accepted it will save much of the time of the House which is very valuable. We are unable to get many questions answered because the officers have to read out the answers of those questions. If they were placed on our tables, it would have saved much time. That is my first point.

The second points i that, if relevant and useful supplementary questions are to be asked, it will be better that the answers are supplied some time before. We may admit that we are not prodigious and we cannot immediately ask so many appropriate questions. Efficiency may be lacking on both sides. Officers here are not so competent as the officers in the Government of India or the Parliament.

DEPUTY PRESIDENT: All that does not arise.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): It was said that we are in the infant stage.

MR. K. R. ELENKATH (*Kalkulam I*): Does not the member think that this practice will help us to become better members?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): There are other fields to develop our powers. Here we must do our duty. We find that in the Madras, Bengal, Assam and other Provincial Legislative Councils, answers to questions are supplied half an hour or even an hour earlier. There it is not accused that it is a pre-historic custom and that, it is in need of amendment. So my submission is that, for efficiency in the matter of asking supplementary questions and saving the time of the House, this amendment is necessary.

The amendmeut was put to the vote of the House and carried.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I move that the amendment to the Standing Orders now considered be passed.

MR. JOSEPH PANJIKARAN (*Assistant Additional Head Sirkar Vakil*): I oppose the amendment.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): In Standing Order 4 (b) (2) it is stated thus:

"Unless the President in exersise of his powers ...."

I request the Chair that permission may be given to make this motion in view of the fact that there has been no substantial alteration in the report of the Select Committee only one clause has been left out and no new clause has been added.

DEPUTY PRESIDENT: Your suggestion is very reasonable and I do suspend the Standing Order and allow the amendments to be passed.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I move that the amendments may be passed.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I seccond it.

MR. JOSEPH PANJIKARAN (*Assistant Additional Head Sirkar Vakil*): I oppose it.

The motion was put to the vote of the House and passed.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Eleven hands were lifted on the official side.

DEPUTY PRESIDENT: That will be impossible. There are only ten official members.

MR. A. THANU PILLAI (*Trivandrum—Rural*): That was done here.

DEPUTY PRESIDENT: I am supposed to have taken notice of it; and I did not notice it.

THE TRAVANCORE IMPROVEMENT VALUATION BILL.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*):
സർ, ലാൻറു ഇംപ്രൂവ്മെൻറു വാല്യുവേഷൻ ബിൽ ഈ സഭ മുൻപാകെ ഞാൻ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): I second it.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, I move that the business of the House be suspended and we pass on to the next item in order in the agenda under Standing Order 27.

DEPUTY PRESIDENT: You mean that the consideration of the motion asking for leave to introduce should be postponed?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): The next business is Resolutions. My motion is to postpone the second item, that is legislative item and the Assembly do pass on to the next item in the agenda *i. e.*, Resolutions.

MR. K. R. ELENKATH (*Kalkulam I*): I second it.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): But Mr. Raman Pillai's motion has been moved and seconded.

DEPUTY PRESIDENT: Mr. Raman Pillai has moved his motion and one gentleman has also seconded it. Now the motion is that we pass on to the Resolutions. That can be done only if the Chair permits. This also is a business of some importance and I do not see any special reason why the suggestion made should be accepted by the Chair I can very well appreciate the desire of some of the members of the House to pass on to the Resolutions. But without giving up the other items, we can still proceed to the Resolutions because the motion is only, for the introduction of the Bill. In the motion asking for leave to introduce a Bill, many speeches and lengthy arguments may not be necessary at this stage. So that, it is within the power of the House itself without prejudicing the interest of legislation on this important subject to pass on to the Resolutions in time. So I do not allow Mr. Narayana Pillai's motion.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : സർവസ്തുക്കളുടെ ദേഹണ്ഡവില നിശ്ചയിക്കുന്നതിന് തിരുവിതാംകൂറിൽ ഒരു നിയമവും ഇല്ലെന്നുള്ള സംഗതി എല്ലാവർക്കും അറിയാവുന്നതാണ്. ഒരു കമ്മീഷൻ എഴുതിക്കൊടുക്കുന്ന കടലാസിനെമാത്രം ആധാരമാക്കിയാണ് ഇപ്പോൾ കോടതികളിൽനിന്നും ദേഹണ്ഡവില കൊടുത്തുവരുന്നത്. കമ്മീഷൻ എഴുതിക്കൊടുക്കുന്നതിനെ ശരിയായി പഠിച്ച് കേസുവാദിക്കുന്നതിന് വക്കീലന്മാർ തയ്യാറാകുകയോ അവർക്ക് അതിനു തക്കഫീസുകൊടുക്കുന്നതിന് കക്ഷികൾക്കു സാധിക്കുകയോ ചെയ്യുന്നതല്ല. ഈ നിലയിൽ പലവിധത്തിലുമുള്ള കുഴപ്പങ്ങൾ വന്നുചേരുന്നുണ്ട്. രണ്ടു സാക്ഷികളോടുകൂടി കമ്മീഷൻ ഒരുലിസ്റ്റ് എഴുതിക്കൊടുത്താൽ കക്ഷികൾ എന്തെല്ലാം കൊടുക്കണമെന്നോ കൊടുക്കണ്ടാ എന്നോ അറിഞ്ഞുകൂടാ. ദേഹണ്ഡക്കാരൻ ധനികനാണെങ്കിൽ അവനിൽനിന്നും വസ്തു പോകേണ്ടിവരികയില്ല. ജന്മി പണമില്ലാത്തവനാണെങ്കിൽ ദേഹണ്ഡം ശരിക്കുകിട്ടാതെയും വരും. ഈ രണ്ടുകക്ഷികളെയും ശരിക്കു രക്ഷിക്കത്തക്കവിധത്തിൽ നിയമം ഉണ്ടാക്കണം. ഞാൻ ഒരുവിധത്തിൽ എഴുതിഹാജരാക്കിയിട്ടുള്ള ബിൽ ഒരു സിലക്ട് കമ്മിറ്റിയുടെ പര്യാലോചനക്കു വിഷയമാകുന്നതാണ്. പരമയോഗ്യന്മാരായ ആളുകൾ സഭാംഗങ്ങളായിട്ടുള്ളതുകൊണ്ട് ഈ ബില്ലിനെ ശരിയായവിധത്തിൽ രൂപീകരിച്ച് ഉഭയകക്ഷികൾക്കും ഗുണപ്രദമായ രീതിയിലുള്ള നിയമമായി പരിണമിക്കുമെന്നു വിശ്വസിക്കുന്നു. ഞാൻ ഇതിനെപ്പറ്റി കൂടുതലായി ഒന്നും പ്രസ്താവിക്കുന്നില്ല. ഇതിനെ സഭയുടെ ആലോചനക്കായി വിട്ടിരിക്കുന്നു.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : In supporting Mr. Raman Pillai's motion, I wish it to be distinctly understood that, if the Bill goes to a Select Committee, it should be empowered to have a free hand in shaping this question. Some of the provisions now contained in the Bill, as it now stands at present, do require consideration even at this time. The subject, is, I take to be the value of improvements awarded to persons entitled to the same. That is the only subject now placed before the House. The whole thing has to be very carefully sifted and formulated in proper clauses in the Select Committee. On this distinct understanding I support the motion.

DEPUTY PRESIDENT : The principle has been accepted by the House.

The Secretary to the Assembly then read the title of the Bill.

DEPUTY PRESIDENT : You are to move the names of the members for a Select Committee.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) Sir, I propose the following names :

1. Rao Sahib Dr. N Kunjan Pillai.
2. Mr. Joseph Panjikaran.
3. ,, Pacode A. Narayana Pillai.
4. ,, M. Sivatanu Pillai.
5. ,, P. Chidambaram Pillai.
6. ,, T. P. Velayudham Pillai.
7. ,, Edavanatt S Padmanabha Menon.
8. ,, P. K. Narayana Pillai.
9. ,, T. K. Alexander.
10. ,, Abdur Rahiman Sahib.
11. ,, K. Sankaran.

MR. JOSEPH PANJIKAKAN (*Assistant Additional Head Sirkar Vakil*): I propose that Mr. T. K. Velu Pillai also be included.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): I have no objection.

DEPUTY PRESIDENT. Does the House agree ?

The House agreed.

DEPUTY PRESIDENT: The motion is carried. The Committee will report in four months.

THE VAKILS REGULATION AMENDMENT BILL.

MR. S. J. NAIR (*Nedumangad*): Sir, I ask for leave to introduce the Vakils' Regulation Amendment Bill.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I second it.

The motion was put and carried.

THE CIVIL PROCEDURE CODE AMENDMENT BILL.

MR. S. J. NAIR (*Nedumangad*) : I beg to ask for leave to introduce the Civil Procedure Code Amendment Bill.

MR. E. V. KRISHNA PILLAI (*Pattanamtitta*) : I second it.

The motion was put and carried.

THE TRAVANCORE DEBTORS' PROTECTION BILL.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*) : തിരുവിതാംകൂർ ഡെററർസ് പ്രൊടെക്ഷൻ ബിൽ അവതരിപ്പിക്കുന്നതിന് ഞാൻ അനുവാദം ചോദിച്ചുകൊള്ളുന്നു.

DEPUTY PRESIDENT : I will just make it clear that if there is nobody opposing it, only a brief speech will be necessary.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): സർ നാലഞ്ചുകൊല്ലങ്ങളായി ഈനാട്ടിലെ ജനങ്ങൾ സാമ്പത്തികാധഃപതനം കൊണ്ടു വലിയസങ്കടത്തിൽ പെട്ട് വലയുകയാണ് ചെയ്യുന്നത്. നാളികേരം കുരുമുളക മുതലായ ഈ നാട്ടിലെ ഉല്പന്നങ്ങൾക്ക നല്ല വിലയുണ്ടായിരുന്ന കാലത്ത് ജനങ്ങൾ പലസംരംഭങ്ങളിൽ ഏർപ്പെടുകയും പല ചിട്ടികളിലും ചെർന്ന് ചിട്ടിപിടിച്ച് പണംപററുകയും ചെയ്തശേഷം ഇപ്പോൾ പണംതിരിയെ കൊടുക്കാൻ നിവൃത്തിയില്ലാതെ വിഷമിച്ചു വരുന്നു. ഞാൻ ചോദിച്ചിരുന്ന ചിലചോദ്യങ്ങൾക്ക ഗവണ്മെൻറിൽ നിന്നും മറുപടി തന്നിരുന്നു എങ്കിൽ ആ സംഗതി എല്ലാവക്കും പ്രത്യക്ഷപ്പെടത്തക്കവിധത്തിൽ കാണിക്കവാൻ സാധിക്കമായിരുന്നു. നാലായിരം, അയ്യായിരം രൂപാകണക്കിലുള്ള വിധിക്കടത്തിനുലേലത്തിൽ വില്പിക്കാൻ വച്ചിരിക്കുന്ന വസ്തുക്കളെ വാദിതന്നെ ആ തുകക്കെടുക്കുന്നു അല്ലാതെ അന്യന്മാർ ആ വസ്തു ലേലത്തിൽ പിടിക്കുന്നതിനു തയ്യാറാകുന്നില്ല. ഇതിനെപ്പററിയുള്ള ഒരു ചോദ്യത്തിനും നിർഭാഗ്യവശാൽ എനിക്ക ഉത്തരം കിട്ടിയില്ല. ഡിക്രി അനുസരിച്ചുള്ള പണവും പലിശയും കൊടുക്കുന്നതിനു കടക്കാർക്കിപ്പോൾ നിവൃത്തിയില്ലാതിരിക്കുന്നു. അതിനുകൊടുക്കേണ്ട പലിശ ദിവസംപ്രതിയും വർദ്ധിച്ചുവരുന്നതിനാൽ അതുതിരിയെകൊടുക്കേണ്ടത് എങ്ങനെ എന്നു വിചാരിച്ചു ജനങ്ങൾ പരിഭ്രമിക്കുന്നു. വസ്തുക്കൾ മിക്കതും ചിട്ടികൾക്ക പണയപ്പെടുത്തികൊടുത്തിരിക്കുന്നു. കടം തിരിയെക്കൊടുക്കാൻ നിവർത്തിയില്ലാതെയും സ്വന്തം കുടുംബത്തെ രക്ഷിക്കുന്നതിനു സാധിക്കാതെയും വിഷമിച്ചിരിക്കുന്ന അവസരത്തിൽ അവരെ സിവിൽ വാറണ്ടിൽ പിടിച്ച് ജയിലിൽ വയ്ക്കുന്നു. പണം ഈടാകണമെങ്കിൽ വാറണ്ടിൽ പിടിച്ചാൽ മാത്രമേ സാധിക്കുകയുള്ളൂ എന്നാണ് ചില മുതലാളിമാർ പറയുന്നത്. ഇങ്ങനെ ചെയ്യുന്നതു നിമിത്തം അവരുടെ സന്താനങ്ങളുടെ കാലക്ഷേപമാർഗ്ഗം നശിക്കുകയും തൻനിമിത്തം വലിയ ആപത്തുകൾ സംഭവിക്കുകയും ചെയ്യുന്നതാണ്.

MR. S. J. NAIR (*Nedumangad*): സ്കാട്ട്ലണ്ട്, റഷ്യ, ഐക്യനാടു, ജർമ്മനി, എന്നീരാജ്യങ്ങളിൽ വിധിക്കടത്തിനു വാറണ്ടിൽപിടിക്കാൻ പാടില്ലെന്നു നിയമം ഉണ്ടോ?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): അങ്ങനെ വാറണ്ടിൽ പിടിക്കാൻപാടില്ല എന്നാണ് ഞാൻ കേട്ടിട്ടുള്ളത്. അതിനെപ്പററി അറിയാവുന്നവർ ഇവിടെ ധാരാളം ഉണ്ട്.

[Mr. R. Raman Pillai.]

കച്ചവടക്കാർക്കു വലിയ ബുദ്ധിമുട്ടില്ല. എന്നാൽ വിദേശങ്ങളിൽ നിന്നു സാമാനം വരുത്തണമെങ്കിൽ പണം കൊടുക്കാതെ നിവൃത്തിയില്ല. കൊടുക്കുന്ന രൂപാക്കു മാത്രം സാമാനം കൊടുക്കുകയല്ലാതെ കൂടുതൽ സാമാനം കടം കൊടുക്കുകയില്ല. സ്വർണ്ണാഭരണം പണയം കൊടുത്താൽ മാത്രമേ വ്യവസായികൾക്കു ഇപ്പോൾ പണം കടം കിട്ടുന്നുള്ളു.

MR. K. R. ELENKATH (*Kalkulam I*): സേവിംഗ്സ് ബാങ്കിലെ പലിശനിരക്കിനു പണം കടം കിട്ടണമെന്നാണോ അഭിപ്രായം?

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): അതിനെപ്പററി പിന്നീട് തീരുമാനിക്കേണ്ടതാണ്. പലിശ പല തരത്തിലുമുണ്ട്. രണ്ടരപലിശക്കും പണം കടം കിട്ടിയിട്ടുണ്ട്. നാഴിനെല്ലു പലിശക്കും കിട്ടിയിട്ടുണ്ടായിരുന്നു. ഇപ്പോഴത്തെ വിഷമമാണ് ഞാൻ പറയുന്നതു്. വെറുംപൈശാചക്കല്ലാതുള്ള മുതലാളിമാർ ആയിരം രൂപാ കിട്ടാനുള്ള ഇടപാടിനെ എഴുനൂറു രൂപാക്കു തീർക്കാൻ സന്നദ്ധരാണ്. കുറഞ്ഞപലിശ എന്ന ഒരു വ്യവസ്ഥ ഉണ്ടാകുന്നതായാൽ അതു കടംതീർക്കുന്നതിനു കടക്കാരെ പ്രേരിപ്പിക്കുന്നതുമാണ്. അതുകൊണ്ടുപലിശയുടെ റേററ് കുറയ്ക്കേണ്ടതാണ്.

MR. K. C. KARUNAKARAN (*Nominated*): I am sorry I cannot agree to the principle of the Bill. It is an accepted convention in this House not to oppose any Bill at this stage but the principles involved in the Bill are so unsound and dangerous that I cannot but oppose the Bill now.

DEPUTY PRESIDENT: There is no such convention here.

MR. K. C. KARUNAKARAN (*Nominated*): I am opposing the Bill in view of the economic interests of the people at large. These are times of great economic depression, when money is scarce. The Bill contains obnoxious provisions which do not conduce to the prosperity of the public interests at large. One of the points embodied in this Bill is the provision about the rate of interest. Even now ample protection is afforded to the debtors by the general law and the Civil Procedure Code.

It is a truism that the agriculture, industry and trade of this country particularly are being carried on with borrowed money from banks, from Governments and other financial institutions from and outside Travancore. In most of our indigenous banks, deposits are obtained from outside Travancore.

If the House gives leave for introducing this Bill, no one can think of the calamity which awaits us. Just think for a moment the effects of this legislation on the credit of the country.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): അതു് അസംബ്ലിയിൽ നിന്നും ആലോചിച്ചു പിന്നീടു തീരുമാനിക്കേണ്ടതാണു്. അതിനാൽ പ്രസ്തുത ബിൽ അവതരിപ്പിക്കുന്നതിനു അനുവാദം അർത്ഥിച്ചുകൊള്ളുന്നു.

MR. K. C. KARUNAKARAN (*Nominated*): Any one who has studied the banking operations of this country will be convinced that more than 80 per cent. of the deposits of these banks are obtained from outside the country. I ask very seriously what will be the attitude of the depositors who are in British India when such a legislation is going to be enacted in this country alone. What I beg to submit is, if such a legislation is effected, it must be one embracing all India. I do not think we have Shylocks in this country just like those obtaining in other parts of India, especially Provinces like the United Provinces and the Central Provinces. It is my firm conviction that if, as my friend pointed out, the Anchal Savings Bank interest is introduced as the standard rate of interest in this country, it will affect the whole economic life of our country.

MR. R. RAMAN PILLAI (*Changanachery* cum *Peermade II*): പുറരാജ്യങ്ങളിൽ ഡിപ്പാസിററു് വെച്ചുനടത്തുന്ന ബാങ്കുകൾ എത്രയുണ്ടെന്നു അറിയാമോ?

MR. K. C. KARUNAKARAN (*Nominated*) This is not the time for that. In the case of those who are carrying on trade, agriculture, commerce, etc., it is the debtors who are making profit at the instance of creditors. In Travancore money-lending is not associated with such evils as in other parts of India. The condition of the debtors is such that no protection need be given by means of such a dangerous Bill as the one before us.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Is the member aware that the Savings Bank interest has been revised?

MR. K. C. KARUNAKARAN (*Nominated*): I am not aware.

Whatever it is, the debtors according to me, Sir, are sufficiently protected by the existing Regulations in this country as well as the law's delays which are being given by the courts of this country. If leave of the House is granted for the introduction of this measure, I am sure there will be hue and cry among the financiers who are helping to carry on industry, trade and agriculture in this country. On this primary consideration alone, the Bill proposed by Mr. Raman Pillai ought not to be allowed to get the leave of this House for introduction.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I am at one with Mr. Karunakaran in opposing the motion for leave being granted to this Bill.

The question of leave *being granted was* put to vote and lost.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The following resolution was not moved.

MR. A. S. DAMODARAN ASAN: This Assembly recommends to the Government that the qualified employees in the P. W. D. work establishment section be taken into the permanent service of Government with the right to pension and all other privileges of Government servants.

*MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I rise to move the following resolution for the acceptance of this House.

"This House recommends to Government that the export duty on copra and other cocoanut products be abolished".

Sir, in recommending this resolution for the acceptance of this House, I need hardly say that a similar resolution was accepted by the previous Council and no action on that has yet been taken by Government. It would have been clear to the members of this House from the answers supplied by the Excise Commissioner, when he was answering a question regarding this, that they have not raised their little finger or moved an inch after the previous Council gave its considered opinion that the export duty on the cocoanut products should be abolished.

Sir, it is not necessary for me to point out the plight in which the cocoanut producer is at the present stage. Every one in this country knows that and every one has experienced that and every one is a sufferer on that account, so that no argument in that direction for the elucidation of that is necessary. I wish to point out that eminent authorities on fiscal matters have expressed their opinions that export duties are unjustifiable, at any rate, for the purpose of giving protection to industries, and they are justifiable for purposes of revenue only under certain circumstances. Sir, the Indian Fiscal Commission went into this question in great detail and enquired into every side of this question and formulated the following principles to be adopted in the matter of levying export duties on the products of India.

(1) That export duties should only be levied on articles of which the producing country has a complete or a partial monopoly;

(2) That in any case the rates should be low; and

(3) That an export duty should not be utilised for the purpose of protecting an industry.

Sir, I will first take up the question whether export duties levied by our Government can be justified. It is admitted by Government that export duty on the cocoanut products is levied partly for protective purposes and partly for revenue purposes.

I will first examine the question whether it can be justified on grounds of sound financial theory, or whether it is justifiable, in the circumstances of the case, as a revenue measure. Sir, the Fiscal Commission has advised the introduction of export duties for revenue purposes only if it can be positively shown or proved that the export duty fixed on an article will not fall on the producer, but will only fall on the consumer. If the export duty should fall on the consumer, our supply of the articles should be such, or their position in the world

market should be such that the world prices will be determined by the export duty and it will be paid at the other end by the consumer. But it will be seen that Travancore is only one of the prominent producers of cocoanuts, and it has not a monopoly nor a partial monopoly of the supply of this product, and it cannot compete with the world prices.

MR. K. C. KARUNAKARAN (*Nominated*): May I know whether it has not got a monopoly on any of the cocoanut products?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): No, it has not got a monopoly on any of the cocoanut products.

K. C. KARUNAKARAN (*Nominated*): What about the coir yarn?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): It is a partial monopoly and there is the danger of substitutes. Even a partial monopoly will not be sufficient justification for the imposition of export duty, if it is found that other substitutes are likely to be found out and if substitutes are likely to be taken up, it is said that even on such articles duties should not be imposed without the danger of making the raw products not being wanted by the world outside. Sir, I am mainly speaking on the question of export duty on the main products. I will go to the export duty on coir yarn separately and deal with that.

Then, with regard to copra, it will be found that we are at a disadvantage. We find, as a matter of fact, that Ceylon copra is being dumped into the Indian markets which were the sole markets for India after the war, and we find a lot of difficulty, a lot of illogicality when we approach the Government of India and ask them to raise the import duties and at the same time persist in imposing the export duty. Of course, it may be said by the Government of India that we have no necessity to be protected and that it is absolutely unreasonable to impose an export duty. The only justification for Government for imposing export duty on copra is the fact that we are not able to impose import duty or get the revenue from import as we would have got, if we had not entered into the interportal convention. Under these circumstances, Government ought to have pressed on the British Government that, because we lose such a large amount in our import income, they ought to have put up the import duties. The Excise Commissioner says that he is not aware that Government has made any representation on it.

MR. K. C. KARUNAKARAN (*Nominated*): May I know from the member whether, by increasing the import duty on Ceylon copra and other products by the Government of India, that will stop the importation of Ceylon cocoanut products into this country? Under these circumstances—

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Well, it depends upon the capacity of Ceylon to dump.

MR. C. O. MADHAVAN (*Excise Commissioner*): My answer was that Government have made a representation to the Government of India.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I will be very glad to accept that, but I thought that the member was saying this morning that he is not aware. So we find that Travancore is not the sole producer of cocoanut products. Travancore is only one of the dominant producers of cocoanut products. It has not got a monopoly of the cocoanut products and it is being competed with very strongly by recent producers, who have got very great advantages. Under these circumstances, before we ask the Government of India to raise the import duty, it will be logical, it will be advisable, if we can give some sort of relief by abolishing the export duty. It can be pointed out, I know that an argument will be coming forward, that it means a loss of revenue, which every one of us is responsible to weigh and account for.

I find that under cocoanut products alone the export duty comes to Rs. 97,227. Sir, it may be thought that it is a great thing to ask a Government to give up this revenue, but it is not. It would be foolish not to ask Government to give up this revenue, because otherwise the Government are likely to lose the whole of their revenue if they continue to squeeze the cultivators further. The question that has to be considered before putting this argument is whether the cocoanut producer at present can bear the export duty, whether the industry can continue or whether it will perish under the burden? That question has to be decided before this can be put up as a formidable argument. Has the Government considered this. This may be a large demand that we are asking for, but the question we have to consider is whether it is a legitimate demand, whether it is an inevitable demand? What power have we got in helping our industry? It seems to me that there is not another common industry which is so useful, which has come to stay and apart from it we cannot think of our country. There is no other industry like the cocoanut industry. If we consider the position carefully, we will find that it has come to a stage when, without substantial help being given by Government for the support of this industry, it is in imminent danger of being extinguished. On the revenue side, whatever may be the objection that is raised, I think this has to be considered and I think, seeing that there is the possibility of the incidence of taxation falling on the producer and thus curtailing production, Government will grant that it is not a justifiable impost as a revenue measure.

Now the question is easily answered as to whether it can be justified as a protective measure. I have already pointed out the general principle in regard to that. And what is the industry that we protect? It is the oil industry. In 1069 there was an export duty on oil and copra. But it was a uniform duty and not a protective duty.

There was not the idea of protection to the oil industry in our tariffs till the year 1070. From the year 1070, slowly but steadily, the idea of protecting the oil industry has come up and this oil industry has been protected all these years, and what did we find at the end of

such a long period of protection? We find that our oil industry is unable to compete with the oil industry in Cochin, that it is in no way better than what it was and the protection seems to me to have been responsible in a way for preventing the oil millers to put forth their best effort to compete with others on a footing of equality. At this rate when will the oil industry be able to stand on its own legs? I fear it has very little chance.

DEPUTY PRESIDENT: I expect the member to curtail his speech.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I shall curtail, as much as possible, Sir. The late Dewan, Mr. M. E. watts, who was perhaps the only Dewan, in modern times, who gave a serious, anxious and intelligent attention to this type of problems, says in an article in the Asiatic Review that he thinks that, unless much more capital is invested and unless a real and wise attempt is made to improve the machinery employed in the extraction of oil, the oil industry in Travancore cannot thrive. Even with that, he feels very great doubt as to whether the oil industry could cope with the oil industries elsewhere and I do not think that our country has capitalists to compete with a mill-owner like Mr. Tata. This export duty will serve only to starve the producer of cocoanuts and will not, at any time, help to stabilise the oil industry in the State. As such, I do not find any practical benefit on account of the duty, even apart from the theoretical objection to the practice of levying export duty on local products for purposes of protection.

Sir, Mr. Karunakaran raised the question of the duty on coir yarn and the protection of the local mats and matting industry. I know that there is a great deal of controversy about that. Sir, there are about 2,00,000 coir yarn producers in this State, and on an average they pay about 20 per cent, of the export duty on cocoanut products. It is seen that the export of coir yarn has decreased considerably. The object of an export duty on coir yarn is to protect the local mats and matting industry. But, the Economic Depression Enquiry Committee have stated in their Report that the shipping agents and merchants of Alleppey have stated unequivocally that the local mats and matting industry has no serious rival at all either in the United Kingdom or in America. The industry, they say, is fast declining in those countries, so that the local mats and matting industry does not any longer stand in need of any protection. Sir, the production of coir yarn is the one cottage industry that is universally prevalent in the State. And the bulk of the producers are the poor men and women of Travancore. In the circumstances, it is absolutely unfair and unjust to give the unwanted protection to the mats and matting industry to the prejudice of the hundreds of thousands of poor men and women in Travancore. As the Report of the Economic Depression Enquiry Committee has very pertinently pointed out, there is the danger of other countries finding out suitable substitutes for our coir yarn. We have to guard against any jeopardy to the one thriving cottage industry in our country.

[Mr. K. Kunjukrishna Pillai.]

Sir, I do not think there is any need for me to argue the matter further. I may put it in a nut-shell that this is a matter which has to be taken up immediately. Unless relief is given to the cocoanut producer here and now, there is imminent danger of the industry being killed and the whole State being reduced to a state of penury. That point cannot be controverted. It is, therefore, for the Government to consider the matter seriously, to take a long vision and decide whether they are going to kill the goose that lays the golden egg.

With these words, I commend the resolution for the acceptance of the House.

MR. K. C. KARUNAKARAN (*Nominated*): May I know whether the member maintains that the present fall in the price of cocoanut products is entirely due to the export duty?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): It is partly due to that. The abolition of the export duty is all that we ourselves can do to improve the condition. That is all that lies entirely within our power.

MR. S. J. NAIR (*Nedumangad*): Sir, I support the resolution. In doing so, I wish to draw attention to another aspect of the question to show that there is immediate necessity to abolish the export duty on cocoanut products. The export duty on cocoanut products is a sort of double taxation, because, for the land on which cocoanut is grown, the Government collect tax. Therefore, the levy of export duty on cocoanuts grown from lands on which the Government get land tax from the people is clearly a case of double taxation. And this double taxation arises in the case of products which are sought to be taken out of Travancore for sale. So far as my information goes, in Ceylon, no land tax is levied on the land on which cocoanut is grown. Here, cocoanut is grown only in registered holdings which pay tax to Government. Sir, this kind of double taxation is unsound in principle and also injurious to the people of the State as a whole. I therefore support the resolution.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): I rise to support the resolution moved by my honourable friend Mr. Kunjukrishna Pillai and commend the same for the acceptance of the House.

Sir, I know it will be urged by the Government that this excise duty is partly intended for fiscal purposes and partly to protect the local cocoanut oil-mill industry. I take it the Government may probably urge that, if they abolish this export duty, they stand to lose nearly nine lakhs of rupees annually. Certainly, it will be a substantial loss to them. And, they will argue that it will not bring proportionate relief to the average cocoanut producer in the State. Sir, this is a very important question; and I have bestowed considerable thought over it. I submit, Sir, that the temporary relief now suggested is almost indispensable for the Travancore cocoanut producer just at the present moment.

This is the time for a generous gesture. Sir, this excise duty was imposed at a time when the price of copra was at its height, when one candy was selling at about Rs. 150 or 160. The price has now fallen to Rs. 27 or 28 per candy. Our Census Report tells us that the extent of land owned by an average Travancore agriculturist is less than an acre. We all know that the average annual yield from about an acre of cocoanut garden with about 60 to 65 cocoanut trees is only about Rs. 35 or 30. The average income of an agriculturist in Travancore is only about 3 chs. per diem. Therefore, Sir, even the few chackrams that he would get by the abolition of this export duty would be of substantial relief to him in these days of dire distress. This has now become the last straw on the camel's back. Any temporary relief, even of a few chackrams, is an immense relief to him in these days.

What I would suggest to Government in this matter is that they should approach the British Government and present our case as strongly as possible, so that the dumping of Ceylon copra into British India is checked as much as possible. In regard to the loss in their revenue which our Government fear on account of the proposed abolition of this excise duty, as responsible non-official members of this House, what we would suggest is that an earnest attempt should be made to persuade the Government of India to take immediate and effective steps to prevent the dumping of Ceylon copra into the British Indian markets. We would also suggest that, in the interest of Government revenue, it is up to Government to improve shipping facilities and transport facilities so that our producers can successfully do business in the Cochin market on which they have to depend for the sale of their copra and oil. Also, as they have decided in the case of rubber, Government must seriously consider the possibilities of local manufacture from cocoanut products. As I said, Sir, the Excise Commissioner will come forward and say that, by the abolition of this export duty, the average producer in the country is not likely to gain more than a few cash and that is nothing compared to the substantial loss to Government in their revenue. A single cash is worth something for the poor cocoanut cultivator of Travancore. What the Government ought to do is to improve transport and shipping facilities, so that the Travancore producer can successfully compete in the open market. Sir, more than seventy-five per cent. of our population depend upon the cocoanut cultivation, and therefore the financial stability of Government ultimately depends upon the success and prosperity of the cocoanut producer in the country. The situation is serious and it is absolutely necessary that the Government come to the rescue of the poor cocoanut grower. They must consider the problem in all its aspects and take immediate action. As the first instalment of their earnest action, I request them to abolish this export duty and relieve the producer at least to that extent.

DEPUTY PRESIDENT: The official member will now speak on the resolution.

MR. C. O. MADHAVAN (*Excise Commissioner*) : Sir, the export duty on the products of the cocoanut palm has been agitating the minds of our people for nearly two years now. (*Louder, please.*) As Mr. Kunjukrishna Pillai pointed out, a resolution was passed in the Assembly last year, in November 1933, if I remember right, for the abolition of the duty on cocoanut products. Sir, it cannot be suggested, as some of the honourable members have been doing, that the Government have not so far raised their little finger in response to that resolution. Government are taking every action which they can properly take to alleviate the distress of the people.

MR. S. J. NAIR (*Nedumangad*) : May I ask whether it is not within the power of our Government to abolish the export duty on cocoanut products, without consulting any other Government?

MR. C. O. MADHAVAN (*Excise Commissioner*) : Certainly we need not consult any other Government to abolish our export duty. But, we have to take into consideration our own interests before taking any such step.

DEPUTY PRESIDENT : With regard to the putting of questions, I trust honourable members will bear in mind the difficulty to which the member in possession will be put to when questions, numerous questions, are put to him from different parts of the House. I do not say it is illegal to put questions. But, seeing that we are at the fag end of the session, and seeing that we are dealing with very imporant questions, I suggest, for the consideration of the House, whether it would not be better if questions are reserved to be put towards the close of every speech.

MR. C. O. MADHAVAN (*Excise Commissioner*) : Let me first assure the House that Government are doing all that is possible in pursuance of the resolution already passed by this Assembly. The export duty on cocoanut products, Sir, has been in existence for a very long time. I have not been able to find when it was first levied. But from the papers connected with the Interportal Trade Convention, I find that the duty had been levied even before that. We may take it that, for some years prior to the date of the Interportal Convention, duty was levied on the products of the cocoanut tree, and I may also inform the House that the duty had been sometimes much higher than what it is at present. It may roughly be said that the duty was at one time 40 per cent. more than what it is at present. Still the people never felt the burden of taxation and they never raised any complaint. No motion was ever made in this Council for the abolition of the duty before. The reason for that is plain. When the products of the cocoanut tree were fetching a very good price in the market, the people did not feel the burden. They were easily paying the duty. So the Government can very well understand and appreciate the spirit underlying the resolutions tabled from time to time in this House for the abolition of the export duty. It is on account of the unprecedented

fall in the price of the products of the cocoanut tree that this motion is coming up again and again for consideration before this House. The market value of cocoanut for instance at one time rose up to 70 and 80 rupees per thousand. It has now gone down to Rs. 20 and sometimes even below that. The tariff value which had been reduced in accordance with the fall in the market price towards the close of 1106 stands now very much higher than the market value. The tariff value of cocoanut is at present Rs. 48 per 1,000 on the other hand, the market value is only, I am roughly saying, Rs. 20. So, the tariff value as it now stands is more than double of what the producer gets in the market. That may be said of some other commodities also. That is the reason why the people feel the burden too heavily and why the motion is brought again and again before the Council. Government are not unmindful of the situation, and, since the passing of the resolution last year, the fluctuations of the market prices have been watched constantly and the attention of the Government is now seriously engaged in revising the tariff values to give relief to the producer and to bring the tariff value as far as possible near to the market value. I cannot make any pronouncement now as to how soon it will be or when the revision or change will be made. But I may assure the House that a revision of the tariff values will soon be effected giving the much-needed relief to the Travancore producer. There was an amendment tabled by Mr. Alexander.

DEPUTY PRESIDENT: You can reserve your comments on that when it comes up.

MR. C. O. MADHAVAN (*Excise Commissioner*): The Government are in full sympathy with the popular demand in that matter and the question, as I said, will soon be decided.

There are one or two other points also which this House may keep in view when considering this question. That aspect of the question has been touched upon by Mr. Kunjukrishna Pillai and Mr. Padmanabha Menon. As they pointed out, the Government get nearly Rs. 10 lakhs from this one item alone. That is a big slice in the total revenue of the State and if the House wants to take this slice away from the total revenues of the State, they will have to say how they can replace that revenue, or how they can reduce the expenditure of the State to that extent. Rightly or wrongly, the State has been depending upon this item of revenue for a very long time, and we cannot, as I said, know for how long this has been our main-stay. This House cannot lose sight of that one important point.

Mr. Kunjukrishna Pillai said that export duty should not be levied even for protecting an industry. I find that even in British India they have export duty on hides and skins, even though there is no monopoly for British India. If that is not levied as a protective measure for any industry, I fail to understand how that duty can be justified.

MR. K. C. KARUNAKARAN (*Nominated*): Is it a sound economic principle to levy export duty on an article to be consumed like rice?

MR. C. O. MADHAVAN (*Excise Commissioner*): The duty is levied on articles of provision. For export of paddy and rice from Burma, a duty is levied there.

MR. K. C KARUNAKARAN (*Nominated*): I ask whether it is a sound economic principle to have such a duty permanently or only as a temporary expedient.

DEPUTY PRESIDENT: That question need not be answered because it is a matter of opinion.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): കൊച്ചിസംസ്ഥാനത്തിൽ നാളികേരോല്പന്നങ്ങൾക്ക് എക്സ്പോർട്ട ഡ്യൂട്ടിഉണ്ടോ?

MR C. O. MADHAVAN (*Excise Commissioner*): കൊച്ചിയിൽ ഇല്ല.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സിലോൺകൊപ്രായുടെ ഇറക്കമതിതീരുവ വർദ്ധിപ്പിക്കണമെന്ന് തിരുവിതാംകൂർ ഗവണ്മെൻറു ബ്രട്ടീഷ് ഗവണ്മെൻറുമായി എഴുത്തുകുത്തു നടത്തിയിട്ടുണ്ടോ?

MR. C. O. MADHAVAN (*Excise Commissioner*): എഴുത്തുകുത്ത് നടത്തിയിട്ടുണ്ട്.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): അതിനു മറുപടിയായി തിരുവിതാംകൂറിലേ നാളികേരോല്പന്നങ്ങളുടെ ഇറക്കമതി തിരുവകുറക്കണമെന്ന് ഇൻസ്ട്രക്ഷൻ തന്നിട്ടുണ്ടോ?

DEPUTY PRESIDENT: I must make this plain with the permission of the House. When a few gentlemen rose to put questions, I suggested that they may wait till the member is about to close, and they took my advice. Other gentlemen are coming forward with their questions. Certainly they are entitled to do it, but I trust they will also follow my suggestion and wait till the official member reaches the end of his speech. He has to make a pronouncement on this question because it is very important. It is not my intention that Mr. Velayudhan Pillai should not put a question to the official member.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): സിലോൺ കൊപ്രായുടെ ഇറക്കമതി തീരുവവർദ്ധിപ്പിക്കുന്നതിനെ സംബന്ധിച്ചു തിരുവിതാംകൂർ ഗവണ്മെൻറു ബ്രിട്ടീഷ് ഗവണ്മെൻറിലേക്കു എഴുതിഅയച്ച അവസരത്തിൽ അതിന് ആദ്യമായി തിരുവിതാംകൂറിലെ കയറുമതി തീരുവ കുറക്കണമെന്ന് അവിടെ നിന്നും എഴുതിവന്നിട്ടുള്ളതായി അറിയാമോ?

MR. C. O. MADHAVAN (*Excise Commissioner*) : അങ്ങിനെ എഴുതിവന്നിട്ടുള്ളതായി അറിഞ്ഞുകൂട.

Apart from the question of Mr. Velayudhan Pillai, it is a fact that there is no export duty on the products of the cocoanut tree in Cochin and British Malabar. But there is this difference to be noticed in Cochin and British Malabar. The land tax there is comparatively higher than that in Travancore. The tax on one acre of first class land is only Rs. 2-4 ch. here, while in British Malabar it is Rs. 4-8 as. Similarly, for first class cocoanut tree the tax here is only 4 chs. while in Cochin it is $3\frac{1}{2}$ annas. These also are considerations which we have to keep in view.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Is there any tree tax in Malabar ?

MR. C. O. MADHAVAN (*Excise Commissioner*) : There the system is slightly different.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : What about the conditions in Ceylon ?

MR. C. O. MADHAVAN (*Excise Commissioner*) : I shall come to that

There is also another reason. More than half the cocoanut gardens in Travancore is held on favoured tenures. In regard to these lands, they have not got to pay the full assessment to Government. So, the levy of export duty on the products of the cocoanut tree is one method of taxing the produce from such lands.

Apart from the revenue purposes, duty is levied on copra, coir yarn and coir fibre as a protective measure for the oil-mill industry and for the industry connected with mats and matting. Mr. Kunjukrishna Pillai said that, if our oil-mill industry cannot get on without any protection, they may close down. Apart from the capital invested in the oil-mill industry, the oil-mills play a very important part here. But for our oil-mills the whole of our copra will have to be sent to Cochin and other foreign markets and then the prices that we would get would be regulated by the millers and merchants of Cochin. But now we have got our own mills for consuming our copra. They can help us in keeping up the prices of copra in Travancore markets. That is a very important point which we cannot overlook.

There is no good in saying that the oil-mills should get on without a protective duty.

DEPUTY PRESIDENT : You have got just two minutes more.

MR. C. O. MADHAVAN (*Excise Commissioner*) : I will finish my speech within 5 minutes.

DEPUTY PRESIDENT : I shall give you 5 minutes.

MR. C. O. MADHAVAN (*Excise Commissioner*) : There is also the fact that the oil-mills afford labour to a large number of Travancoreans. Closing the mills down means unemployment. So that also is a very important factor to be taken into consideration.

[Mr. C. O. Madhavan.]

Further, the protection itself is not what it was at the commencement. The margin of protection stood at one time at Rs. 2-10 as. per candy of copra. Now it is only Rs 1-15-10 ps. By a further reduction of tariffs and modifications in the rates of duty we can reduce the margin of profit by slow degrees and by and by enable our mill-owners to stand on their own legs without even this protection.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): If a duty should be effective in protecting an industry, is it not necessary that that duty should be sufficiently high?

MR. C. O. MADHAVAN (*Excise Commissioner*): The rate at which we are enabling them to go on is sufficient. There is no necessity for having any higher protective duty. This duty can be reduced by degrees and ultimately done away with by the development of Alleppey harbour. Alleppey itself may become a market for the sale of oil. Till then it is only proper and fair that some protection is afforded to the oil-mill industry in which is sunk several lakhs of rupees.

MR. M. N. NAIR (*Kottayam I*): As regards the statement that other means should be found out for raising revenue, did not this House allow a new duty, as the excise duty on matches, being imposed? Does the member know how much this duty will come to?

MR. C. O. MADHAVAN (*Excise Commissioner*): It was announced in this House the other day that it may come to between 2 and 3 lakhs of rupees, and that revenue cannot replace the 10 lakhs which is involved in the export duty on the products of the cocoanut tree.

MR. M. N. NAIR (*Kottayam I*): If the market value was really half the tariff rate according to the member's statement?

DEPUTY PRESIDENT: You cannot cross-examine an official member on the facts which he asserts. If you drop the former portion of your question, I am prepared to allow you to put the question.

MR. M. N. NAIR (*Kottayam I*): What would be the amount of export duty on the products of the cocoanut tree if the tariff rate approximated the market value?

MR. C. O. MADHAVAN (*Excise Commissioner*): It may come to Rs. 5 lakhs.

I have got one word more about protection.

DEPUTY PRESIDENT: What is it that you are now doing? You have no chance. All that you can now do is to answer the question.

MR. C. O. MADHAVAN (*Excise Commissioner*): I have answered; and I have to add a word more.

DEPUTY PRESIDENT: Your time is up.

MR. C. O. MADHAVAN (*Excise Commissioner*): I want a minute more.

DEPUTY PRESIDENT : You have no chance.

There is an amendment by Mr. T. K. Alexander. Are you moving it Mr. Alexander ?

MR. T. K. ALEXANDER (*Kunnatnad I*) : No, Sir.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : On the motion before the House, I wish to offer a few remarks.

DEPUTY PRESIDENT : Under what Section do you come ?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am an official member of the State Council and I can address the House as of right.

MR. K. R. ELENKATH (*Kalkulam I*) I should like to know whether the time will be extended.

DEPUTY PRESIDENT : We will decide that. Let us see how things go on.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, the proposal made in this motion is a very important one having regard to the finances of Government. That will be readily conceded. But I would suggest that it is still more important on the ground that the acceptance of the motion is sought to be rested on a certain definite economic principle, *viz*., that export duty is justifiable only on certain definite grounds and that none of those grounds exist in the present case. It is a very serious matter whether we should have export duty or not; and I wish every member of this House will devote his attention to that question of principle. I am prepared to concede at this moment that the export duty is really a tax on the producer. The producer pays the first tax, *viz*., land tax and then he is called upon to pay a second tax, *viz*., export duty. I concede this for the purpose of my argument.

DEPUTY PRESIDENT : I am sorry I have to disturb you. I want a word of explanation. The Section reads :

> " Notwithstanding anything contained in this Regulation, an official member of either Chamber shall have the right of attending and addressing the other Chamber but shall not have the right to vote in that other Chamber"

I took a view and permitted Mr. Kayalam Paramesvaran Pillai to speak. But in the course of the speech, another point struck me, that is, whether Mr. Kayalam Paramesvaran Pillai becomes a member of the Sri Chitra State Council before he takes oath in that Council.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I became a member directly I was nominated and I am to-day an official member of the Council, even though I cannot do anything on the floor of the *Council* until I take oath there.

DEPUTY PRESIDENT : Anyhow, objection not being taken by anybody, you may proceed.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I was making the observation that the producer has to pay first

[Mr. Kayalam Paramesvaran Pillai.]

the land tax and then the export duty. We may take the land tax to be x, and the export duty to be y. The producer therefore pays a tax of x + y. The question is whether it is justifiable or not. It has been stated by Mr. Madhavan that the land tax in Malabar and Cochin is higher than that in Travancore. We will take that to be 2x in Malabar. If they pay a land tax of 2x, we pay only 1x. While we pay a total of x + y, they pay a total 2x. Is it inherently unreasonable to think that y may be equal to x. If so, we are not doubly taxed in actual fact.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : May I know whether the member is aware that export duty disturbs trade?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) I am not saying that. I am only saying whether economically export duty is justifiable or not, If the land tax here is higher than that in Malabar or Cochin, it may be a sufficient ground that export duty should be abolished here. But that is not so. Because the value of cocoanut has gone down, every cocoanut producer stands in need of relief. I am quite at one with that. But on the question of principle of export duty in Travancore, I would request the House to consider whether it is not justifiable. If the land tax here is lower than it is elsewere, why should we not raise some revenue by putting export duty?

MR. A. THANU PILLAI (*Trivandrum—Rural*) : Are we considering only Malabar and Cochin in regard to this matter? Should we not consider Ceylon also?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) ; Yes, we are concerned only with Malabar and Cochin because just now we have to compete mainly with them. I shall come to Ceylon later.

I am saying that every country may have its own system of taxation and a country may levy land tax *and* export duty, The House should consider what the *total* taxation on the producer is. Without considering that aspect of the question, the House should not run away with the fact that economists have declared that export duty is unjustifiable on inherent grounds. The House should distinctly consider whether the total taxation on the producer is high or not. If the House considers that the total taxation is higher because of the export duty, then by all means, let them vote in favour of the motion. If the House is not possessed of facts to determine the question whether it is high or not, then do not vote in favour of the motion. I instanced the case of Malabar and Cochin where the land tax is higher. It cannot be said that export duty works hardship on the producer.

This cry for abolition of export duty arose because of the economic depression, Only 5 years back, even *with* export duty we were competing equally with Malabar and Cochin, because the total taxation was equal for Malabar and Cochin. If the House is desirous of giving relief

on the ground of economic depression, it is all right. Do not vote on the ground that export duty is inherently objectionable. The point, therefore, that has to be really considered by the House is whether the total taxation on the producer is much higher than it is elsewhere.

With regard to the Ceylon question, I may remind the House that they are bringing an Income Tax Act by which they propose to levy income tax on agricultural products unlike in Travancore and British India. Here, there is no income tax on agricultural income. One of the grounds for putting income tax on agricultural income in Ceylon is that no land tax is levied there and therefore income from land may be subjected to the income tax. What we levy by way of land tax they are going to levy by way of income tax on agricultural income, to put it in general terms. What is the difference in substance?

DEPUTY PRESIDENT: You have got time limit.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I have no time limit. It is my right to address the Chamber. The rule of time limit applies only to *members*. But, of course, I do sit down and obey the Chair most cheerfully.

DEPUTY PRESIDENT: I am glad that Mr. Paramesvaran Pilai did not want to talk afther the Chair gave the ruling. But he is of opinion that there is no limit as to time. In his case, I must say Mr. Paramesvaran Pillai addressing this House has no further right than any other member of the House. He would have been entitled to the 20 minutes if he was a member in charge of any department or any particular measure. (*Hear, hear*). So he has the time usually allotted to the members.

On that point I have looked up this once more because I do not want to reserve it for a future occasion. At page 11, Paragraph 13 of the Manual it is said,

> "Notwithstanding anything contained in this Regulation or the Rules framed thereunder, an official member of either Chamber shall have the right of attending in and addressing the other Chamber but shall not have the right of vote in that other Chamber."

So that the words *notwithstanding anything contained in these rules* means that even without taking oath of the State Council Mr. Parames varan Pillai is entitled to speak.

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Sir, I only wish to add a few words to what the other two official members have said on this occasion. The House should not go away with the impression that the Government are not sympathetic to the views expressed in this House. The plight of the agriculturists is as much known to the Government as to the members of this House. Prices of agricultural products have slumped, I believe, by about 50 per cent or even more and the difficulties that the ryots experience are really considerable I may assure the House that the Government have been and are doing all that is possible to afford relief to the distressed ryots. On this one question *viz.*, duty on copra, I may assure the House, Sir, that this Government have addressed a long and strong letter to the

[Rao Sahib Dr. N. Kunjan Pillai.]

Government of India pointing out the necessity of increasing the import duty on Ceylon copra. The letter was sent to the Agent to the Governor-General on the 23rd February 1934. I think we have made out as strong a case as possible for an enhancement of the duty on Ceylon copra imported into India. Government have not yet received a reply to their letter to the Government of India.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): You have requested to raise the import duty into Travancore alone?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Not only into Travancore but into India.

Government cannot say what the result of this correspondence will be. But all that I wish to tell the House is that we are leaving no stone unturned to get that redress which our cocoanut cultivators do stand in need of. One member raised the question whether the Government of India, when requested for the enhancement of import duty on copra, will not turn round and ask us to abolish our own export duty on it. I am not saying that they have done so, but they may do so. They may say that that is what the Travancore Government should do. If the Government of India do so, we have a counter-proposition to put forward.

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*): Was there such a request about 40 years ago from the Government of India or the Madras Government and did not this Government then say that the export duty was necessary in this country in view of the Interportal Convention and the matter stop there?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I cannot say what happened 40 years ago. If the Government of India were to ask us to abolish our export duties, we can say that we will do so provided we are allowed to impose import duties on all articles that come into Travancore. That is a very wide question and I do not want to enter into a discussion on it at present.

With regard to the export duties that we are now levying on our cocoanut products, I may point out, as Mr. Kayalam Paramesvaran Pillai has said, that the land tax in Travancore is less than that in British Malabar or Cochin. I have worked out some figures and I think the House will be glad to know what the figures are. The average tax per cocoanut tree in Travancore is Chs. 2 cash 14 including export duty. If we take the land tax alone, the average per cocoanut tree is only Ch 1 cash 5.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Are only the bearing trees taken into account or the whole number of trees?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*) All the trees are taken into consideration. Including the export duty, the average is Chs. 3-13 per tree on trees standing on *Pandarapattom* lands and Chs. 1-15 per tree on trees standing on lands held under favourable tenures. The average is Chs. 2-14 per tree. The corresponding figure in Malabar is somewhere about As. 3 and 10 pies per

cocoanut tree. The land tax *plus* the duty comes to only Chs. 2-14 in Travancore, whereas the land tax in Malabar is As. 3 and 10 pies. In Cochin it is about As. 2 per tree. So we see that, in spite of the export duties, we are better off than the Cochinites or the Malabarees.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is there not the garden assessment in Malabar?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes. Garden assessment is levied on lands containing 10 or more cocoanut trees per acre. There are various *tharams* and the highest *tharam* is Rs. 16 per acre.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Can they plant other trees in this one acre?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Yes. In the recent re-settlement there were loud complaints against the rates in Malabar.

MR. K. R. ELENKATH (*Kalkulam I*): May I know the corresponding figures about land revenue excluding trees?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There is only the land tax there. For an acre of land which contains 10 cocoanut trees or more, they have fixed certain rates. The highest rate is Rs. 16 per acre of such land.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know from the member whether these calculations are based on the publications of Cochin and Malabar or Travancore?

RAO SAHIB DR. N. KUNJAN PILLAI ((*Chief Secretary to Government*): These calculations are based on the figures available in the publications of Cochin and Malabar.

MR. A. THANU PILLAI (*Trivandrum—Rural*): May I know whether the member knows the number of cocoanut trees in Malabar?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No, I do not know.

In Malabar, for one acre of land with 10 cocoanut trees or more one has to pay a certain assessment rate; and if it is the first *tharam*, the rate is Rs. 16.

What I wanted to make clear to the House with regard to the import duty on Ceylon copra is that this Government have taken necessary action to try and get it increased and they propose to persist in their attempt. With regard to the export duties of which much has been said, I may say that this Government cannot afford to abolish them at the present juncture. But Government feel that the cultivators do stand in need of relief. As Mr. Madhavan said, some relief has been given by the Government and probably at a very early date Government hope to make an announcement affording more relief to the cocoanut cultivators. I wanted to make this position clear and so only I thought it necessary to speak a few words on this occasion.

MR. K. R. ELENKATH (*Kalkulam I*): I have to ask a question. On an acre of land where two or three trees exist and another acre of land where 50 trees exist, does the tax bear equally?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Tax is levied on land, whether it contains trees or not. Lands containing 10 cocoanut trees or more per acre are brought under garden assessment and there are various rates of such assessment.

DEPUTY PRESIDENT: Do you withdraw your motion, Mr. Kunjukrishna Pillai?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): No, Sir, I press the motion.

MR. C. O. MADHAVAN (*Excise Commissioner*): I have to speak only a few words with regard to mats and matting.

MR. S. J. NAIR (*Vedamangad*): Sir, we do not want to hear anything about mats and matting.

DEPUTY PRESIDENT: I am very sorry that the member should do this. Now there is an officer responsible for the collection of the tax who is going to make a statement and for a member to say that he does not want to hear is not an act of courtesy either to him, the other members of the House, or to the Chair.

MR P. K. NARAYANA PILLAI (*Ambalapuzha I*): Is it not open to the member to say that the House does not want to hear anything about matches now?

DEPUTY PRESIDENT: I think it is 'mats'.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*): Then I am sorry, Sir.

MR. C. O. MADHAVAN (*Excise Commissioner*): Mats and matting industry is a very important industry in this country. If you go from Ambalapuzha to Shertala, on both sides of the roads you see a number of factories. These factories give employment to a very large number of men and women.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know the number of labourers employed there?

MR. C. O. MADHAVAN (*Excise Commissioner*): I have not ascertained the number. Actual figures are not with me now.

DEPUTY PRESIDENT: I may just mention one thing because various questions have been put to-day with no definite answers. In dealing with questions, the information probably available to the Government is not adequate. But I wish an attempt will be made later on to provide such figures to non-official members so that they may be able to catch the Government's view-point better. If Government will be able to do so, there will not be so much of questions.

MR. C. O. MADHAVAN (*Excise Commissioner*): If there is no duty on coir fibre, raw materials will be easily taken out of Travancore and coir mats and mattings will be manufactured more cheaply in England and other foreign countries. When this question was discussed in the Assembly last year, Mr. K. C. Karunakaran extracted a speech from Mr. Laban, the head of one of the greatest firms engaged in this business, Messrs. William Goodacre and Sons.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Is it not from a newspaper report?

MR. C. O. MADHAVAN (*Excise Commissioner*): I am referring to the Assembly Proceedings.

If you try the total abolition of export duty on the raw materials, we will be doing what exactly Mr. Laban and others want. In that case we will be digging our own graves. So the House should seriously consider the question before they vote upon that. The Chief Secretary to Government has said that the matter is seriously engaging the attention of Government. The interest of the people is as dear to the Government as it is to the members of the House. Government are doing everything possible in that direction and I request the mover of the motion not to press it to a division.

The motion was put to the vote of the House and carried.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll.

DEPUTY PRESIDENT: If you do not require a poll, we shall go to the next item in the agenda.

The House proceeded to the consideration of the next item in the agenda as the member who wanted a poll withdrew his request.

MR. K. R. ELENKATH (*Kalkulam I*) I beg to move the following resolution:—

"*The Assembly recommends to the Government that the total expenditure on establishment, salaries and allowances of Government officers shall not exceed 30 per cent. of the State revenue.*"

In moving this resolution, I bring to the notice of the House and the Government what the real demands of the people in the country are which we the representatives of the people are bound to echo. I am very sorry that I am at the fag end of the day and so I could not elaborate all the points that I would wish to deal with. If you examine the history of the finances of the country, year by year, we find that whatever be the increase of revenue, we meet with expenditure beyond bounds without assigning proper reasons for the same. In the matter of allotting salaries, allowances, etc., to Government Officers, there is no proper basis or principle kept in view. Let us look up to countries where popular Governments or responsible Governments exist and compare their income and expenditure with ours—.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): Will the member kindly name a few countries?

MR. K. R. ELENKATH (*Kalkulam I*): I shall come to that. I know that the official member will compare our position with that of Mysore and Madras, and point out that the state of affairs here is none the worse. He will not compare our position with that of Japan or France. Ten years ago when almost a similar resolution was brought before the House, the then Financial Secretary very ably pointed out that the officers in Madras and Mysore were given a much higher salary than in Travancore. No other circumstance but only the salaries of officers are then taken to consideration. We have to cut our coat according to the cloth available and not compare Madras and Mysore where conditions such as extent of jurisdiction, education of the native population, etc.

[Mr. K. R. Elenkath.]

vary very much. Let us face the facts. There are educated people here who are fit to be in efficient service and Government need not go in for people on high salaries from outside the State. Every year we are spending nearly Rs. 5½ lakhs by way of salaries alone to those who draw above Rs. 500—I do not include those who draw only Rs. 500.

DEPUTY PRESIDENT: You will have to be brief.

MR. K. R. ELENKATH (*Kalkulam I*): Yes, Sir. If you take this figure, and consider how many are sons of the soil and compare the aggregate amount they draw with that drawn by outsiders, you will be astonished at the position in which we are. Out of 40 officers who draw Rs. 5½ lakhs, only eighteen are sons of the soil and their aggregate pay comes to a little above Rs. 1½ lakhs.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): What is the basis for that figure?

MR. K. R. ELENKATH (*Kalkulam I*): The Civil List.

I say, out of 40 Officers who draw more than Rs. 5½ lakhs in the aggregate and above Rs. 500 each, only 18 are sons of the soil and they draw only a little above Rs. 1½ lakhs in the aggregate. I have not included their allowance.

MR. A. THANU PILLAI (*Trivandrum—Kurul*): Would it not be due to the fact that the sons of the soil do less efficient work?

MR. K. R. ELENKATH (*Kalkulam I*): No, Sir. Sons of the soil do more efficient work for a much less pay. That is my view.

For instance, there is the Director of Industries, a son of the soil who was offered Rs. 1,500 by a foreign State: but he has preferred to serve his country for Rs. 500.

DEPUTY PRESIDENT: Please avoid personal instances.

MR. K. R. ELENKATH (*Kalkulam I*) Sir, I refer to this instance to show that the efficiency here does not suffer because that officer is serving us for a salary which is only one-third of what has been offered to him elsewhere. He is the same person with the same efficiency in him.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): May I know whether it would not have been better in the economic interests if he has accepted that pay and utilise the money here in Travancore?

MR. K. R. ELENKATH (*Kalkulam I*): Yes, in case we had secured an equally efficient son of the soil for a smaller pay. It must be his patriotic instincts that made him accept the post here. Again Sir, in the Public Health Department we are having as a Deputy Director, a gentleman with distinguished medical experience on a salary of Rs. 250. I hear, Sir, that he is to be replaced by a more costly man. It is also to be noted, Sir, that the new officer to be put in is a much junior man to the present incumbent and even to many of those people in service. (Mr. P. K. Narayana Pillai: *Hear, hear*). He is to be imported from Madras. I hear that he is the holder of D.P. H. We have in service not only holders of D. P. H, but Dr. P. H. and other degrees besides.

I only state this to show how our men, however efficient they may be, are given less preference to men from outside with far inferior qualifications.

MR. M. SIVATANU PILLAI (*Tovala*) : What is the name of that gentleman, please ?

MR. K. R. ELENKATH (*Kalkulam I*) : I am sorry I do not propose to give the name.

If that is the sort of interest that Government has towards the people of our country, if such is the welfare they aim at, how are the interests of the poor people in the villages to be bettered ? When we ask for more ryots' roads, for bridges, for the improvement of our tanks or for the development of our industries, Government come with the lame excuse that they have no funds. Sir, it is only because they do not care for the sufferings of the people in the villages. Sir, What I want to impress on the attention of Government therefore is that some measure should be adopted by them to curtail the expenditure towards salaries of officers. I do not say that it should have retrospective effect. The Government should come to some definite understanding and determine that they will spend only less than 1/3 or say 30 per cent. of the total revenues of the State on salaries and allowances. The percentage today stands at 40 per cent. I hope the House will consider my proposal in the proper light and see that the resolution is carried.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : I wish to support the motion. For the satisfaction of the Financial Secretary, I shall quote a passage from an eminent writer who is considered to be an authority on the subject. The learned author says :—

> "........a determined attempt to cut down outgoings in the hope of balancing budgets heavily unbalanced on account of the decreased yield of taxation and the increase in the cost of maintaining the unemployed. The salaries of public employees have been reduced ; normal programmes of expansion in the services of health and education have been indefinitely postponed, and even the existing forms of provision have been pared to the bone in the attempt to save money......"

RAO SAHIB S. PARAMESVARA AIYAR (*Nominated*) : Who is that author ?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha I*) : Mr. G. D. H. Cole, Reader in Economics in the University of Oxford.

This is a publication of the previous year and I therefore think there is ample justification for the cry to apply the axe to the salaries of officers in the State.

DEPUTY PRESIDENT : It is late ; and even if we sit till 6 P. M. or later, I do not think we will be able to discuss the resolution in the manner that we ought to. Therefore the House will now stand adjourned *sine die*.

The House adjourned *sine die* at 4-53 P. M.

K. MADHAVA KURUP,
Secretary to the Sri Mulam Assembly.

Appendix I

The Travancore Life Assurance Companies Bill.

(As introduced in the Legislative Council on 23rd April 1932.)

CONTENTS.

PREAMBLE.

Clauses.

Preliminary.

1. Short title and extent.
2. Definitions.
3. Companies to which Regulation applies.

Deposits.

4. Deposits.

Accounts and Documents.

5. Separation of funds.
6. Appropriation of life assurance fund.
7. Accounts and Balance sheets.
8. Actuarial reports and abstracts.
9. Actuarial abstracts, in case of.
10. Statement of life assurance business.
11. Deposit of Accounts, etc., with Our Government.
12. Deposit of report.
13. Exemption from certain provisions of Regulation I of 1092
14. Right of share-holders, etc., to copies of accounts, etc.
15. Audit of accounts.
16. List of share-holders.
17. Deed of settlement.
18. Publication of authorised as well as subscribed and paid up capital.
19. Requirements as to companies established outside Travancore.

Amalgamation or Transfer.

20. Amalgamation or transfer.
21. Statement in case of amalgamation or transfer

Winding up.

22. Special provisions as to winding up of assurance companie
23. Winding up of subsidiary companies.
24. Valuation of annuities and policies.
25. Rules of valuation.
26. Power to Court to reduce contracts.

Special Provisions relating to Accounts and Documents.

27. Application of surplus assets in liquidation.
28. Custody and inspection of documents deposited with Our Government.

29. Accounts etc., to be published.
30. Evidence of documents.
31. Evidence of copies of documents.
32. Alteration of forms.

Companies carrying on business in the United Kingdom or British India.

33. Certain companies may apply to be declared companies which carry on life assurance business in the United Kingdom or British India.
34. Application of the Regulation to companies which carry on life assurance business in the United Kingdom or British India.

Penalties and Procedure.

35. Penalty for non-compliance with Regulation.
36. Penalty for falsifying statements etc.
37. Cognisance of offences.

Miscellaneous.

38. Appointment of Inspectors.
39. Service of notices.
40. Powers to make rules.
41. Power of Our Government to exempt from the provisions of the Regulation.

THE FIRST SCHEDULE.—REVENUE ACCOUNTS.
THE SECOND SCHEDULE.—PROFIT AND LOSS ACCOUNT.
THE THIRD SCHEDULE.—BALANCE SHEET.
THE FOURTH SCHEDULE.—STATEMENT RESPECTING VALUATION OF LIABILITIES.
THE FIFTH SCHEDULE.—STATEMENT OF LIFE ASSURANCE AND ANNUITY BUSINESS.
THE SIXTH SCHEDULE. RULES FOR VALUING ANNUITIES ETC.,

THE TRAVANCORE LIFE ASSURANCE COMPANIES BILL.

A Regulation to Provide for the Regulation of Life Assurance Companies.

WHEREAS it is expedient to provide for the Regulation of Life Assurance Companies: It is hereby enacted as follows:—

Preliminary.

Short title and extent.

1. (1) This Regulation may be called "The Travancore Life Assurance Companies Regulation of 110 ."

(2) It extends to the whole of Travancore.

Difinitions.

2. In this Regulation unless there is anything repugnant in the subject or context.—

(1) "actuary" means an actuary possessing such qualifications as may be prescribed by rules made by Our Government;

(2) "chairman" means the person for the time being presiding over the board of directors or other governing body of a life assurance company;

(3) "Court" means the Principal Civil Court of original jurisdiction in a district;

(4) "financial year" means each period of twelve months at the end of which the balance of the accounts of the life assurance company is struck, or, if no such balance is struck, then the calendar year;

(5) "life assurance business" means the issue of, or the undertaking of liability under policies of assurance upon human life, or the granting of annuities upon human life;

(6) "policy of assurance on human life" means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life or any instrument evidencing a contract which is subject to payments of premiums for a term dependent on human life;

(7) "policy-holder" means the person who for the time being is the legal holder of the policy for securing the contract with the life assurance company;

(8) where a company grants annuities upon human life, "policy" includes the instrument evidencing the contract to pay such an annuity, and "policy-holder" includes annuitant; and

(9) "Registrar" means any person who may be appointed by Our Government to perform the duties of the Registrar under this Regulation.

Companies to which Regulation applies.

3 Save as hereafter expressly provided, this Regulation shall apply to all persons or bodies of persons, whether corporate or unincorporate (which persons and bodies of persons are hereafter referred to as life assurance companies), whether established before or after the commencement o

this Regulation and whether established within or without Travancore, who carry on life assurance business within Travancore.

Explanation.—A company registered under the Travancore Companies Regulation, 1092 which carries on life assurance business in any part of the world shall for the purposes of this section be deemed to be a company carrying on such business within Travancore.

Exception. —Nothing in this Regulation shall apply to any society to which the Provident Insurance Societies Regulation—applies or to any Fund which Our Government may, by notification in Our Government Gazette exempt from the operation of this Regulation.

Deposits.

Deposits.

4. (1) Every life assurance company shall, if established before the commencement of this Regulation within one year from such commencement, or if established after such commencement, before it commences to carry on the business of life assurance, deposit and keep deposited with the Chief Account Officer for and on behalf of Our Government, Government securities as defined by the Travancore Government Securities Regulation III of 1099 of the face value of twenty-five thousand rupees or of a face value equal to one third of the income derived from life assurance business as shown in the revenue account for the last financial year, whichever is greater; and, until the company keeps deposited securities of the face value of two lakhs of rupees, shall annually deposit and keep deposited in like manner like securities of a face value—

(*a*) equal to one-third of the income derived from life assurance business as shown in the revenue account for the last financial year, until the face value of the securities deposited exceeds one lakh of rupees;

(*b*) and thereafter equal in amount to one-third of the increase to the life assurance fund as shown in the revenue account for the last financial year;

Provided that a company may at any time deposit securities of a face value of two lakhs of rupees or make up its deposit of securities to that value.

(2) The interest accruing due on the securities deposited under sub-section (1) shall be paid to the company.

(3) The deposit may be made by the subscribers of the memorandum of association of a company or any of them, in the name of a proposed company and, upon the incorporation of the company, shall be deemed to have been made by, and to be part of the assets of, the company, and the Registrar of Joint Stock Companies shall not issue a certificate of incorporation of the company under the Travancore Companies Regulation, 1092 until the deposit has been made.

(4) The deposit shall be deemed to form part of the life assurance fund of the company.

Accounts and Documents.

Separation of funds.

5. In the case of a life assurance company transacting other business besides that of life assurance a separate account shall be kept of all receipts in respect of the life assurance business, and the said receipts shall be carried to and form a separate fund to be called the life assurance fund.

Explanation.—Nothing in this section shall be deemed to require any life assurance fund to be invested in separate investments from any other fund, but a separate balance-sheet as prescribed under Section 7 shall be kept in respect of the life assurance fund.

Exception.—Nothing in this Section shall apply to a life assurance company established before the commencement of this Regulation by the terms of whose deed of settlement the whole of the profits of all the business carried on by the company are paid exclusively to the life policy-holders, and on the face of whose life policies the liability of the life assurance fund in respect of the other business distinctly appears.

Appropriation of life assurance fund.

6. The life assurance fund shall be as absolutely the security of the life policy-holders as though it belonged to a company carrying on no other business than life assurance business, and shall not be liable for any contracts of the company for which it would not have been liable had the business of the company been only that of life assurance and shall not be applied, directly or indirectly, for any purposes other than those of life assurance.

Exception.—Nothing in this section shall affect the liability of the life assurance fund, in the case of a company established before the commencement of this Regulation for contracts entered into by the company before such commencement.

Accounts and balance sheet.

7. (i) Every life assurance company shall, at the expiration of each financial year, prepare.

(*a*) a revenue account for the year in the form or forms set forth in the first Schedule and applicable to the class or classes of business carried on by the company;

(*b*) a profit and loss account in the form set forth in the Second Schedule, except where the company carries on life assurance business only and no other business

(*c*) a balance-sheet or balance-sheets in the form or forms set forth in the Third Schecule;

(*d*) a statement containing the name of every person who during the year was a member of the board of directors or other governing body or was manager or secretary or held any similar office by whatever name called,

[“(*e*) a statement showing –

(A) as regards new policies of life assurance in respect of whih a premium has been paid in the year of account,—

(*i*) the number of policies.

(*ii*) the sums assured.

(*iii*) the amount received by way of single premiums (including all premiums paid at the outset where no subsequent premium is payable), and

(*iv*) the amount of yearly renewal premium income;

(B) as regards total life assurance business,—

(*i*) the number of policies in force at the end of the year of account,

(*ii*) the sum assured (including revisionary bonus additions thereto under policies in force at the end of the year of account, and

(*iii*) the premium income for which credit is taken in the revenue account;

(C) as regards claims, the amount of the claims paid in the year of account under policies effected in Travancore.

(*a*) to claimants in Travancore? and

(*b*) to claimants outside Travancore,

(*c*) a statement showing, in such forms as our Government may prescribe, a classified summary of the investments of the company in Travancore in Government securities, and in Travancore concerns and the other Travancore assets held by the company.”

(2) For the purposes of clause (*e*) of sub-section (1), all items required to be stated shall be net amounts after deduction of the re-insurances of the company's risks, and for the purposes of sub-clauses (A) and (B) of that clause—

(*a*) the statement shall show separately the numbers and amounts in respect of policies effected in, and policies effected outside Travancore;

(*b*) where a sum assured is payable periodically, whether by way of an annuity or otherwise, it shall be stated separately from lump sum payments, and

(*c*) policies of assurance upon the lives of a group of persons whereby sums assured are payable in respect of several persons included in the group shall be excluded from the statement and be shown in a separate statement containing the like particulars.]

Acturial reports and abstract.

8. (1) Every life assurance company shall once in every five years or at such shorter intervals as may be prescribed by the instrument constituting the company, or by its regulations or bye-laws, cause an investigation to be made into its financial condition, including a valuation of its liabilities, by an actuary and shall cause an abstract of the report of such actuary to be made in the form set forth in the Fourth Schedule.

(2) The provision of sub-section (1) regarding the making of an abstract shall also apply whenever at any other time an investigation

into the financial condition of a life assurance company is made with a view to the distribution of profits, or whenever the results of any such investigation are made public.

Actuarial abstract in case of mutual company.

9. In the case of a mutual life assurance company whose profits are allocated to members wholly or mainly by annual abatements of premium, the abstract of the report of the actuary on the financial condition of the company prepared in accordance with the Fourth Schedule, may, notwithstanding anything in section 8, be made and returned at intervals not exceeding five years: Provided that, where such return is not made annually, it shall include particulars as to the rates of abetment of premiums applicable to different classes or series of assurances allowed in each year during the period which has elapsed since the previous return under the Fourth Schedule.

Statement of life assurance business.

10. Every life assurance company shall, within three years from the commencement of this Regulation and thereafter at the date to which the accounts of the company are made up for the purposes of the investigation prescribed by section 8, prepare a statement of its assurance, busniess in the form set forth in the Fifth Schedule: Provided that, if the investigation is made annually by any company, the company may prepare such a statment at any time, so that it may be made at least once in every five years.

Deposit of accounts etc., with Our Government

11. (1) Every accuunt balance sheet, abstract or statement herein before required to be made shall be printed, and four copies thereof, one of which shall be signed by the chairman and two Directors of the company, and by the principal officer of the company. and if the company has a managing Director, by the managing Director, shall be deposited with Our Government within six months in the case of accounts and balance-sheets required by section 7, and within one year in other cases after the close of the period to which the account, balance-sheet, abstract or statement relates; Provided that, if in any case it is made to appear to Our Government that the circumstances are such that a longer period should be allowed, they may extend that period by such period as they may think fit.

(2) Our Government shall consider any document deposited in accordance with the provisions of subsection (i) and, if any such document appears to our Government to be inaccurate or defective in any respect Our Government may call upon the company to furnish a further statement correcting any such inaccuracies or supplying any such deficiencies.

Deposit of report.

12. There shall be deposited with every revenue account and balance sheet of a life assurance company every report on the affairs of the company submitted to the share-holders or policy-holders of the company in respect of the financial year to which the account and balance-sheet relate.

13. Where a life assurance company registered under the the Travancore Companies Regulation, 1092 in any year deposits its accounts and balance-sheet in accordance with the provisions of section 11, the company may, at the same time, sent to the Registrar of Joint Stock Companies a copy of such accounts and balance sheet, and where such copy is so sent, it shall not be necessary for the company to file a balance-sheet with the Registrar of Joint Stock Companies as required by section 138 of the Travancore Companies Regulation, 1092 and the copy of the accounts and balance-sheet so sent shall be dealt with in all respects as if it were a balance-sheet filed in accordance with that section.

Exemption from certain provisions of Regulation I of 1092

14. A printed copy of the accounts. balance-sheet, abstract or statement last deposited shall on the application of any share-holder or policy holder of the company be forwarded to him by the company by post or otherwise.

Right of share-holders etc., to copies of accounts etc.

15. The accounts of every life assurance company shall be audited annually in such manner as our Government ma prescribe.

Audit of Accounts.

16. Every life assurance company which is not registered under the Travancore Companies Regulation 1092, shall keep a list of the names and addresses of its share-holders and shall, on the application of any share-holder or policy-holder of the company, furnished to him a copy of such list on payment of a sum not exceeding two annas for every hundred words required to be copied.

List of share-holders

17. Every life assurance company which is not registered under the Travancore Companies Regulation 1092, shall cause a sufficient number of copies of its deed of settlement or other instrument constituting the company to be printed, and shall on the application of any share-holder or policy-holder of the company furnish to him a copy of such deed of settlement or other instrument on payment of a sum not exceeding one rupee.

Deed of settlement

18. Where any notice, advertisement or other official publication of a life assurance company contains a statement of the amount of the authorised capital of the company, the publication shall also contain a statement of the amount of the capital which has been subscribed and the amount paid up.

Publication of authorised as well as subscribed and paid-up capital

19. (1) Every life assurance company constituted outside Travancore which establishes a place of business within Travancore or appoints an agent in Travancore with the object of obtaining life assurance business, shall within three months from the establishment of the place of business or the appointment of such agent, file with the Registrar.

Requirements as to companies established outside.

(a) a certified copy of the charter, statutes or memorandum and articles of the company, or other instrument constituting or defining the constitution of the company, and, if the instrument is not written in the English language, a certified translation thereof ;

(b) a list of the directors of the company ;

(c) the names and addresses of some one or more persons resident in Travancore authorised to accept on behalf of the company service of process and any notices required to be served on the company ;

and, in the event of any alteration being made in any such instrument or in the list of directors or in the names and addresses of such persons as aforesaid, the company shall, within such time as Our Government may prescribe file with the Registrar a notice of the alteration.

(2) Any process or notice required to be served on the company shall be sufficiently served if addressed to any person whose name has been so filed as aforesaid and left at or sent by post to the address which has been so filed.

(3) There shall be paid to the Registrar for registering any document, required by this section to be filed, a fee of five rupees or such smallar fee as our Government may prescribe.

Amalgamation or Transfer.

20. Where it is intended to amalgamate two or more life assurance companies, or to transfer the life assurance business of one company to another, the directors of any one or more of such companies may apply to the Court by petition, to sanction the proposed arrangement.

Amalgamation or transfer

(2) Before any such application is made to the Court—

(a) notice of the intention to make the application shall be published in our *Government Gazette* at least two months before the application is made ;

(b) a statement of the nature of the amalgamation or transfer as the case may be, together with an abstract containing the material facts embodied in the agreement or deed under which the amalgamation or transfer is proposed to be effected, and copies of the acturial or other reports upon which the agreement or deed is founded, including a report by an independent actuary shall, unless the Court otherwise directs, be transmitted to each policy-holder or each company ; and

(c) the agreement or deed under which the amalgamation or transfer is effected shall be open for the inspection of the policy-holders and share-holders at the office of the companies for a period of fifteen days after the last publication of the notice.

(3) The Court, after hearing the directors and other persons whom it considers entitled to be heard upon the petition, may sanction the arrangement if it is satisfied that no sufficient objection to the arrangement has been established.

(4) The Court shall not sanction the amalgamation or transfer in any case in which it appears in the Court that the life policy-holders representing one tenth or more of the total amount assured in any

company which it is proposed to amalgamate, or in any company the business of which it is proposed to transfer, dissent from the amalgamation or transfer.

(5) No life assurance company shall amalgamate with another, or transfer its business to another unless the amalgamation or transfer is sanctioned by the Court in accordance with this section.

Statement in case of amalgamation or transfer

21. Where an amalgamation takes place between any life assurance companies, or where any life assurance business of one such company is transferred to another company the combined company or the purchasing company, as the case may be, shall, within one month from the date of the completion of the amalgamation or transfer, deposit with our Government.

(*a*) certified copies of statements of the assets and liabilities of the companies concerned in such amalgamation or transfer, together with a statement of the nature and terms of the amalgamation or transfer; and

(*b*) a certified copy of the agreement or deed under which the amalgamation or transfer is affected and

(*c*) certified copies of the acturial or other reports upon which that agreement or deed is founded; and

(*d*) a declaration under the hand of the chairman of each company, and the principal officer of each company that to the best of their belief every payment made or to be made to any person whatsoever on account of the amalgamation or transfer is therein fully set forth, and that no other payments beyond those set forth have been made or are to be made either in money, policies, bonds, valuable securities or other property by or with the knowledge of any parties to the amalgamation or transfer.

Winding up.

Special provisions as to winding up of assurance companies.

22. The Court may order the winding up of a life assurance company, in accordance with the Travancore Companies Regulation, 1092 and the provisions of that Regulation shall apply accordingly, subject, however, to the modification that the company may be ordered to be wound up —

(*a*) on the petition of ten or more policy holders.

Provided that such a petition shall not be presented except by the leave of the Court, and leave shall not be granted until a *prima facie* case has been established to the satisfaction of the Court and until security for costs for such amount as the Court may think reasonable has been given; or

(*b*) on application made on behalf of Our Government showing that from a consideration of the documents deposited with them under the provisions of this Regulation it appears to them that the company is insolvent.

23. (1) Where a life assurance business or any part of the life assurance business of a life assurance company has been transferred to another company under an arrangement in pursuance of which the first-mentioned company (in this section called the subsidiary company) or the creditors thereof has or have claims against the company to which such transfer was made (in this section called the principal company), then, if the principal company is being wound up by or under the supervision of the Court, the Court shall (subject as hereinafter mentioned) order the subsidiary company to be wound up in conjunction with the principal company, and may by the same or any subsequent order appoint the same person to be liquidator for the two companies, and make provision for such other matters as may seem to the Court necessary with a view to the companies being wound up as if they were one company.

Winding up of subsidiary companies.

(2) The commencement of winding up of the principal company shall, save as otherwise ordered by the Court, be the commencement of the winding up of the subsidiary company.

(3) In adjusting the rights and liabilities of the members of the several companies between themselves, the Court shall have regard to the constitution of the companies, and to the arrangements entered into between the companies in the same manner as the court has regard to the rights and liabilities of different classes of contributories in the case of the winding up of a single company, or as near thereto as circumstances admit.

(4) Where any company alleged to be subsidiary is not in process of being wound up at the same time as the principal company to which it is subsidiary, the Court shall not direct the subsidiary company to be wound up unless, after hearing all objections (if any) that may be urged by or on behalf of the company against its being wound up, the Court is of opinion that the company is subsidiary to the principal company, and that the winding up of the company in conjunction with the principal company is just and equitable.

(5) An application may be made in relation to the winding up of any subsidiary company in conjunction with a principal company by any creditor of, or person interested in, the principal or subsidiary company.

(6) Where a company stands in the relation of a principal company to one company and in the relation of a subsidiary company to some other company, or where there are several companies standing in the relation of subsidiary companies to one principal company, the Court may deal with any number of such companies together or in separate groups as it thinks most expedient upon the principles laid down in this section.

24. Where a life assurance company is being wound up by the Court, or subject to the supervision of the Court, or voluntarily, the value of a policy or of a liability under a policy requiring to be valued in such winding up shall be estimated in manner applicable to policies and liabilities provided by the Sixth Schedule

Valuation of annuities and policies.

25. The rules in the Sixth Schedule shall be of the same force, and may be repealed, altered or amended as if they were rules made in pursuance of Section 248 of the Travancore Companies Regulation, 1092 and rules may be made under that section for the purpose of carrying into effect the provisions of this Regulation with respect to the winding up of life assurance companies.

Rules of valuation.

26. The Court, in the case of a life assurance company which has been proved to be unable to pay its debts, may, if it thinks fit reduce the amount of the contracts of the company upon such terms and subject to such conditions as it thinks just, in place of making a winding up order.

Power of Court to reduce contracts.

27. In the winding up of a life assurance company in a case where any proportion of the profits of the company was before the commencement of the winding up allocated to policy holders, if, when the assets and liabilities of the company have been ascertained, there is found to be a surplus of assets over liabilities (hereinafter referred to as a *prima facie* surplus), there shall be added to the liabilities of the company in respect of its life assurance business an amount equal to such proportion of the *prima facie* surplus as is equivalent to such proportion of the profits allocated to share-holders and policy-holders as was allocated to policy-holders during the ten years immediately preceding the commencement of the winding up, and the assets of the company shall be deemed to exceed its liabilities only in so far as those assets exceed those liabilities after such addition as aforesaid:

Application of surplus assets in liquidation.

Provided that, if in any case there has been no such allocation, or if it appears to the Court that by reason of special circumstances it would be inequitable that the amount to be added to the liabilities of the company in respect of the life assurance business should be an amount equal to such proportion as aforesaid, the amount to be so added shall be such amount as the Court may direct.

Special Provision relating to Accounts and Documents.

28. Our Government may direct any documents deposited with them under this Regulation or certified copies thereof, to be kept by the Registrar or by any other officer appointed in this behalf, and any such documents and copies shall be open to inspection and copies thereof may be procured by any person on payment of such fees as Our Government may direct.

Custody and inspection of documents deposited with Our Government.

29. Our Government shall annually cause to be published in such manner as they may direct, a summary of the accounts, balance sheets, abstracts, statements and other documents under this Regulation, or purporting to be under this Regulation, deposited with them during the preceding year by every life assurance company, except reports on the affairs of life assurance companies submitted to the share-holders or policy-holders theoeof,

Accounts, etc., to be published.

and may append to such summary, any note of Our Government thereon, and any correspondence in relation thereto.

Evidence of documents.

30. Every document deposited under this Regulation with Our Government, and certified by the Registrar or by any person appointed in that behalf by Our Government to be a document so deposited, shall be deemed to be a document so deposited.

Evidence of copies of documents.

31. Every document purporting to be certified by the Registrar, or by any person appointed in that behalf by Our Government, to be a copy of a document so deposited, shall be deemed to be a copy of that document, and shall be received in evidence as if it were the original documents unless some variation between it and the original document be proved.

Alteration of forms.

32. Our Government may, on the application or with the consent of a life assurance company, alter the forms contained in the Schedules to this Regulation as respects that company, for the purpose of adapting them to the circumstances of that company.

Companies carrying on business in the United Kingdom and in British India.

Certain companies may apply to be declared companies which carry on life assurance business in the United Kingdom and in British India.

33. (1) An assurance company which carries on life assurance business in the United Kingdom in accordance with the Assurance Companies Act, 1909, or in British India in accordance with the Indian Life Assurance Companies Act, 1912, may, if carrying on life assurance business in Travancore before the commencement of this Regulation within three months of such commencement, or, in any other case, before it commences to carry on life assurance business in Travancore apply to Our Government for a declaration that it so carries on such business in the United Kingdom or in British India.

(2) A company applying under the provisions of sub-section (1) shall furnish, at the time of its application or at such further time as Our Government may prescribe, such evidence as they may direct of the facts alleged in its application.

(3) Where Our Government are satisfied that a life assurance company applying as aforesaid is a life assurance company which carries on business in the United Kingdom in accordance with the Assurance Companies Act, 1909, or in British India in accordance with the Indian Life Assurance Companies Act, 1912, they shall, by notification in Our Government Gazette, make a declaration to that effect.

Application of the Regulation to companies which carry on life assurance business in the United Kingdom and British India.

34. Where Our Government have notified a declaration in accordance with the provisions of Section 32 in respect of a life assurance company, nothing in Section 4, Section 5, clauses (*a*), (*b*), (*c*) or (*d*) of sub section (1) of Section 7, Sections 8 to 12 Sections 15, 20, 21, or 38 shall apply to the company;

Provided that

(1) the company shall deposit with Our Government in he manner prescribed in Section 11, copies of every account, balance sheet, abstract, statement or other document which the company is required by the Assurance Companies Act, 1909, to deposit at the Board of Trade or by the Indian Life Assurance Companies Act, 1912 to deposit with the Governor General in Council.

(2) if, at any time, a company in respect of which a declaration has been notified under Section 33 ceases to carry on life assurance business in the United Kingdom in accordance with the provisions of the Assurance Companies Act, 1909 or in British India in accordance with the Indian Life Assurance Companies Act, 1912, it shall, if it continues to carry on life assurance business in Travancore be subject to all the provisions of this Regulation, from the date it ceased to carry on such business in the United Kingdom or British India in accordance with the said Acts.

Penalties and Procedure.

Penalty for non-compliance with Regulation.

35. Any life assurance company which makes default in complying with any of the requirements of this Regulation and every director, manager, or secretary, or other officer or agent of the company who is knowingly a party to the default shall be punishable with fine which may extend to one thousand rupees, or in the case of a continuing default, with fine which may extend to five hundred rupees for every day during which the default continues; and, if default continues for a period of three mouths after notice of default by Our Government (which notice shall be published in one or more newspapers as Our Government may, upon the application of one or more policy-holders, or share-holders, direct), the default shall be a ground on which the Court may order the winding up of the company, in accordance with the Travancore Companies Regulation 1092.

Penalty for falsifying statements etc.

36. If any account, balance-sheet, abstract, statement or other document required by this Regulation is false, i any particular to the knowledge of any person who signs it, such person shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Cognizance of offences.

37. No Court inferior to that of a Magistrate of the first class shall try any offence against this Regulation.

Miscellaneous.

Appointment of Inspectors.

38. (1) Our Government may appoint one or more inspector examine into the affairs of any life assurance company, and to report thereon in such manner as they may direct.—

(i) in the case of a life assurance company which is not registered under the Travancore Companies Regulation 1092 upon the application...

(*a*) of share holders being in number not less than one-fifth of the whole number of persons for the time being entered on the list of share holders kept in accordance with the provisions of Section 16; or

(*b*) of twenty or more policy-holders owning policies of an aggregate value of not less than twenty thousand rupees;

(ii) in any case where a life assurance company has failed to furnish a further statement when required to do so under the provisions of Section 11, sub-section (2), or where Our Government are of opinion that any such further statement is insufficient or unsatisfactory.

(2) On an appointment being made under sub-section (1), the provisions of Section 144 of the Travancore Companies Regulation 1092 shall apply to the examination made by such inspectors.

Service of notices.

39. Any notice or other document which is by this Regulation required to be sent to any policy-holder may be addressed and sent to the person to whom notices respecting such policy are usually sent, and any notice so addressed and sent shall be deemed and taken to be notice to the holder of such policy:

Provided that, where any person claiming to be interested in a policy has given to the company notice in writing of his interest, any notice which is by this Regulation required to be sent to policy-holders shall also be sent to such person at the address specified by him in his notice.

Powers to make rules.

40. (1) Our Government may make rules to carry out the purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may–

(*a*) prescribe the qualifications to be possessed by acturies, auditors and inspectors under this Regulation and the manner in which the accounts of life assurance companies shall be audited;

(*b*) prescribe the time within, and the form in which notice of alteration of the particulars specified in Section 19 of the Regulation shall be filed with the Registrar;

(*c*) subject to the provisions of this Regulation prescribe the fees payable thereunder.

(3) All rules made under this Regulation shall be published in Our Government *Gazette* and, on such publication, shall have effect as if enacted in this Regulation.

Power of Our Government to exempt from the provisions of the Regulation.

41. Our Government may, by notification in Our Government Gazette and subject to such restrictions and conditions as they think fit, exempt any life assurance company from all or any of the provisions of this Regulation.

THE FIRST SCHEDULE.

See Section 7.

REVENUE ACCOUNTS OF THE ________________________ FOR THE YEAR ENDING________________

(A) Life Assurance Account.

	Rs.		Rs.
		Dividends payable on........ for the year ending.........(This is only to be stated here by companies not supplying a Profit and Loss account.)	
		Claims under policies paid and outstanding—	
		By death ...	
		By maturity ...	
Amount of life assurance fund at the beginning of the year		Surrenders, including surrenders of bonus additions.	
		Annuities ...	
		Bonuses in cash ...	
		Bonuses in reduction of premiums.	
Premiums		Expenses of management.	
		Commission ...	
		Agents and Canvassers' allowance	
Consideration for annuities granted *see* Note 1		Salaries, etc. (other than to Agents and Canvassers).	
		Travelling expenses ...	
		Directors' fees ...	
		Auditors' fees ...	
		Medical fees ...	
		Rents for offices belonging to, and occupied by the company.	
Interests, dividend and rents. *Less* income-tax thereon — Rs.		Rents of other offices occupied by the company.	
		Law charges ...	
		Advertising ...	
		Printing and stationery ...	
		Other expenses of management (accounts to be specified)	
Other receipts (accounts to be specified).		Other payments (accounts to be specified). ...	
		Amount of life assurance fund at the end of the year, as per third Schedule.	
Rs		Rs.	

NOTE 1 Companies having a separate annuity fund with investments separate from those of the life assurance fund to return the particulars of their annuity business in a separate statement, in Form B of this schedule.

NOTE 2 Items in this account to be net amounts after deduction of the amounts paid and received in respect of re-assurances of the company's risks.

NOTE 3 If any sum has been deducted from the expenses of management account and taken credit for in the balance sheet as an asset, the sum so deducted to be separately shown in the above account.

(B) *Revenue Account applicable to annuity business of those companies having a separate annuity-fund, the investments of which are kept separate from those of the life assurance fund.*

	Rs.		Rs.
Amount of annuity fund at the beginning of the year.		Annuities ...	
Consideration for annuities granted ...		Surrenders ...	
Rs.		Expenses of management - Commission ...	
Interests, dividends and rents		Other expenses (to be specified) ...	
Less, income-tax thereon ...		Other payments (acounts to be specified).	
		Amount of annuity fund at the end of the year as per balance-sheet.	
Other receipts ...			
Rs.		Rs.	

NOTE :- Items in this account to be net amounts after decision of the amounts paid and received in respect of re-assurances of the company's risks.

(C) *General Revenue Account applicable to all classes of business other than life assurance and annuity transactions.*

	Rs.		Rs.
Amounts of funds at the beginning of the year ...		Claims less re-assurance (accounts to be specified)	
Premiums (accounts to be specified) ...		Expenses of management - Commission ...	
Rs.		Other expenses (to be specified) ...	
Interests, dividends and rents.		Losses (accounts to be specified) ...	
Less, income-tax thereon.		Other payments (accounts to be specified).	
Profits (accounts to be specified).		Amount of funds at the end of the year as per balance-sheet.	
Other receipts (to be specified).			
Rs		Rs.	

NOTE 1.—All the items in the above account to be exclusive of life assurance and annuity transactions.

NOTE 2.—Items in this account to be net amounts after deduction of the amounts paid and received in respect of re-assurances of the company's risks.

THE SECOND SCHEDULE.

(See Section 7.)

PROFIT AND LOSS ACCOUNT OF THE————FOR THE YEAR ENDING————.

	Rs.		Rs.
Balance of last year's account ...		Dividends and bonuses to share holders payable on..., for the year ending.	
Interest and dividends not carried to other accounts. Rs.		Expenses not charged to other accounts.	
Less income-tax thereon ...		Loss realised (accounts to be specified).	
Profit realised (accounts to be specified).		Other payments (accounts to be specified).	
Other receipts (accounts to be specified).		Balance as per Third Schedule ...	
Rs.		Rs.	

THE THIRD SCHEDULE.

See Section 7.

(A) BALANCE-SHEET———— OF THE———— ON THE————.

Liabilities.	Rs.	Assets.	Rs.
Rs.		Assets of life assurance fund as per separate balance-sheet (if any).	
Assurance fund— ...		Assets of annuity fund as per separate balance-sheet (if any)	
Outstanding liabilities of life assurance fund.		Assets of funds other than those shown in the above-mentioned balance sheets.	
Annuity fund (if any) as per separate balance-sheet.		Mortgages on property within India.	
Outstanding liabilities of annuity fund.		Mortgages on property out of India.	
		Loans on public rates ...	
		Do. life interests and reversions ...	

	Rs.		Rs.
Shareholders' capital paid up (if any).		Do. stocks and shares.	
Profit and loss account (if any).		Do. company's policies within their surrender values	
Funds contained in General Revenue Account (if any) [Schedule I (c)].		Do. personal security.	
		Investments—	
		Deposit with the Chief Account Officer (securities to be specified).	
		Travancore Government Securities.	
		Indian Government securities ...	
Other sums owing by the Company.		British and Colonial Government securities.	
Accounts to be specified and stated separately under each class of.		Foreign Government securities ...	
		Indian Municipal and Provincial securities ...	
		British and Colonial securities ...	
		Foreign and Colonial securities ...	
		Bonds, debentures, stocks and other securities—whereon interest is guaranteed by the Indian Government.	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by the British or any Colonial Government.	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by any Foreign Government.	
		Ordinary stocks and shares of any Indian Presidency Bank.	
		Debentures of any railway in India.	

THE TRAVANCORE LIFE ASSURANCE COMPANIES REGULATION.

Liabilities.	Rs.	Assets.	Rs.
		Investments—(*contd.*)	
		Debentures of any Railway out of India.	
		Preference or guaranteed shares of any Railway in India.	
		Preference or guaranteed shares of any Railway out of India.	
		Ordinary stocks and shares of any Railway in India.	
		Ordinary stocks and shares of any Railway out of India ...	
		House property in India ...	
		House property out of India ...	
		Freehold and leasehold ground-rents and rent charges in India ...	
		Life interests and reversions in India ...	
		Life interests and reversions out of India ..	
		Other investments in India (to be specified) ..	
		Other investments out of India (to be specified) ...	
		Agents' balances ...	
		Outstanding premiums ...	
		Outstanding interests dividends and rents ...	
		Interest accrued but not payable ...	
		Bills receivable ...	

Liabilities.	Rs.	Assets.	Rs.
		Cash—	
		On deposit ...	
		In hand and on current account ...	
		Other assets (to be specified) ...	
Rs.		Rs.	

NOTE 1.—When part of the assets of the company are specifically deposited under local laws in various places out of India, as security to holders of life assurance policies there issued each such place and the amount compulsorily lodged therein must be specified.

NOTE 2.—The balance-sheet must state how the values of the stock exchange securities are arrived at, and on the occasions when a statement respecting valuation under the Fourth Schedule is made, a certificate must be appended, signed by the same persons assigned the balance-sheet, to the effect that in their belief the assets set forth in the balance sheet are in the aggregate fully of the value stated therein, less any investment reserve fund taken into account.

NOTE 3.—Companies having investments with any uncalled liability shall state separately the full amount thereof.

NOTE 4.—Particulars must be given of all loans, including temporary advances except loans on policies within their surrender values made at any time during the year to any director or officer of a company or to any other company in which any of the said directors or officers may hold their position either of director or of officer.

(B) BALANCE-SHEET OF THE LIFE ASSURANCE FUND ....ON THE..............................

TO BE COMPLETED BY COMPANIES DOING BUSINESS OTHER THAN LIFE ASSURANCE FOR WHICH THEY HAVE SEPARATE FUNDS.

Liabilities.	Rs.	Assets.	Rs.
Life Assurance Fund ...		Mortgages on property within India ...	
Claims admitted or intimated but not paid ...		Do. Do. Out of India ...	
Other sums owing by the company (under this class of business)...		Loans on public rates ...	
		Do. Life interests and reversions ...	
		Do. stocks and shares	
		Do. company's policies within their surrender values. ...	
		Do. personal security..	
		Investments:—	
		Deposit with the Chief Account Officer] (securities to be specified) ...	
		Indian Government securities ...	
		British and Colonial Goveernment securities ...	
		Foreign Government securities ...	
		Indian Municipal and Provincial securities ...	
		British and Colonial securities ...	
		Foreign and Colonial securities ...	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by the Indian Government ...	
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by the British or any Colonial Government ...	

TRAVANCORE LIFE ASSURANCE COMPANIES REGULATION.

Liabilities.	Rs.	Assets.	Rs.
		Bonds, debentures, stocks and other securities whereon interest is guaranteed by any Foreign Government ...	
		Ordinary stocks and shares of any Indian Presidency Bank ...	
		Debentures of any Railway in India ...	
		Debentures of any Railway out of India ...	
		Preference or guaranteed shares of any Railway in India ...	
		Preference or guaranteed shares of any Railway out of India ...	
		Ordinary stocks and shares of any Railway in India ...	
		Ordinary stocks and shares of any Railway out of India ...	
		House property in India ...	
		House property out of India ...	
		Freehold and lease-hold ground-rents and rent charges in India ...	
		Life interests and reversions in India ...	
		Life interests and reversions out of India ...	
		Other investments in India (to be specified) ...	
		Other investments out of India (to be specified) ...	
		Agent's balances ...	
		Outstanding premiums ...	
		Do. interests, dividends and rents ...	

THE TRAVANCORE LIFE ASSURANCE COMPANIES REGULATION.—(*Contd.*)

Liabilities.	Rs.	Assets.	Rs.
		Interest accrued but not payable Bills receivable ...	
		Cash—	
		On deposit ...	
		In hand and on current account ...	
		Other assets (to be specified) ...	
Rs.		Rs.	

NOTE 1.—When part of the assets of the company are specifically deposited under local laws in various places out of India, as security to holders of life assurance policies there issued, each such place and the amount compulsorily lodged therein must be specified.

NOTE 2.—A balance sheet in the above form must be rendered in respect of the annuity fund if the investments of that fund are distinct from those of the life assurance fund.

NOTE 3.—The balance-sheet must state how the values of the stock exchange securities are arrived at, and on the occasions when a statement respecting valuation under the Fourth Schedule is made, a certificate must be appended, signed by the same persons as signed the balance sheet, to the effect that in their belief the assets set forth in the balance-sheet are in the aggregate fully of the value stated therein, less any investment reserve fund taken into account.

NOTE 4.—A certificate must be appended hereto, signed by the same persons as signed the balance-sheet (Form A. and by the auditor to the effect that no part of any such fund has been applied, directly, or indirectly or for any purpose other than the class of business to which it is applicable.

NOTE 5.—Companies having investments with any uncalled liability shall state separately the full amount thereof.

NOTE 6.—Particulars must be given of all loans including temporary advances except loans on policies within their surrender values, made at any time during the year to any directors or officer of a company, or to any other company in which any of the said directors or officers may hold the position either of director or of officer.

THE FOURTH SCHEDULE.

See Sections 8 and 9.

STATEMENTS RESPECTING THE VALUATION OF THE LIABILITIES UNDER LIFE POLICIES AND ANNUITIES OF THE......TO BE MADE AND SIGNED BY THE ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions.)

1. The date up to which the valuation is made.

2. The general principles adopted in the valuation, and the method followed in the valuation of particular classes of assurances, including a statement of the method by which the net premiums have been arrived at, and whether these principles were determined by the instrument constituting the company or by its regulations or bye-laws, or how otherwise, together with a statement of the manner in which policies on under average lives are dealt with.

3. The table or tables of mortality used in the valuation. In cases where the tables employed are not published, specimen policy values are to be given at the rate of interest employed in the valuation, in respect of whole life assurance policies effected at the respective ages of 20, 30, 40, and 50, and having been respectively in force for 5 years, 10 years, and upwards at intervals of five years, respectively, with similar specimen policy values in respect of endowment assurance policies according to age at entry, original term of policy and duration.

4. The rate or rates of interests assumed in the calculations.

5. The actual proportion of the annual premium income (if any,) reserved as provision for future expenses and profits, separately specified in respect of assurances with immediate profits, with deferred profits, and without profits. (If none, state how this provision is made.)

6. The consolidated revenue account since the last valuation, or in case of a company which has made no valuation, since the commencement of the business. This return should be made in the form annexed. No return under this heading will be required where a statement under this schedule is deposited annually.)

7. The liabilities of the company under life policies and annuities at the date of valuation showing the number of policies, the amount assured and the amount of premiums payable annually under each class of policies, both with and without participation in profits, and also the net liabilities and assets of the company with the amount of surplus or deficiency. (These returns to be made in the forms annexed.)

8. The principles upon which the distribution of profits among the share-holders and policy-holders is made and whether these principles were determined by the instrument constituting the company or by its regulations or by-laws, or how otherwise, and the number of years' premiums to be paid before a bonus (*a*) is allotted and (*b*) vests.

9. The results of the valuation, showing:—

(1) The total amount of profit made by the company, allocated as follows:

(a) among the policy-holders with immediate participation, and the number and amount of the policies which participated:

(b) among policy-holders with deferred participation, and the number and amount of the policies which participated;

(c) among the share holders;

(d) to reserve funds, or other accounts;

(e) carried forward unappropriated;

(2) Specimens of bonuses allotted to whole life assurance policies for Rs. 1,000 effected at the respective ages of 20, 30, 40, and 50, and having been respectively in force for 5 years, 10 years and upwards at intervals of 5 years respectively, together with the amounts apportioned under the various modus in which the bonus might be received: with similar specimen bonuses and particulars in respect of endowment assurance policies, according to age at entry, original term of policy and duration.

(Form referred to under heading No. 6 Fourth Schedule.)

Consolidated Revenue Account of the——for——years——Commencing——and ending——

	Rs.		Rs.
Amount of life assurance fund at the beginning of the period, Premiums.		Claims under policies paid and out-standing— By death	
Consideration of annuities granted.		By maturity	
Rs.			——
Interest, dividends and rents. Less income-tax thereon,		Surrenders	
	——	Annuities	
		Bonuses in cash	
Other receipts (accounts to be specified).		Bonuses in cash reduction of premiums	
		Commission	
		Expenses of management	
		Other payments (accounts to be specified).	
	——	Amount of life assurance fund at the end of the period as per Third Schedule.	——
		Rs.	

NOTE.—If any sum has been deducted from the expenses of management account and taken credit for in the balance-sheet as an asset the sum so deducted to be separately shown in the above statement.

(Form referred to under Heading No .7 in Fourth Schedule)

Summary and valuation of the policies of the ……… as at……

	Particulars of the policies for valuation.				Valuation			
						Value by the Table interest per cent.		
	Number of policies	Sums assured and bonuses.	Office yearly premiums	Net yearly premiums.	Sums assured and bonuses.	Office yearly premiums.	Net yearly premiums.	Net liability.
ASSURANCES.								
I.—*With immediate participation in profits*								
For whole term of life .								
Other classes (to be specified) .								
Extra premiums payable .								
II.—*With deferred participation in profits*								
For whole term of life .								
Other classes (to be specified .								
Extra premium) payable.								
Total Assurances with profits.								
III.—*Without participation in profits*								
For whole term of life .								
Other classes (to be specified)								
Extra premiums .								
Total assurances without profit, :								
Total assurances .								
Deduct reassurances (to be specified according to class in a separate statement) .								
Net amount of assurances .								
Adjustments. if any (to be separately specified).								
ANNUITIES ON LIVES.								
Immediate .								
Other classes (to be specified) .								
Total of the results.								

premium If policies are issued in or for any country at rates of premium deducted from tables other than the European mortality tables adopted by the company, separate schedules similar in form to the above must be furnished.

NOTE. 2—Separate returns and valuation results must be furnished in respect of classes of policies valued by different tables of mortality, or at different rates of interest, also for business at other than European rates.

NOTE 3—In cases also where separate valuations of any portion of the business are required under local laws in places outside British India, a summary statement must be furnished in respect of the business so valued in each such place showing the total number of policies, the total sums assured and bonuses, the total office yearly premiums and the total net liability on the bases as to mortality and interest adopted in each such place, with statement as to such bases respectively.

(Form rfeerred to under Heading No. 7 in Fourth Schedule.)

Valuation Balance sheet of ....as at...........

DR.	Rs.	CR.	Rs.
To net liability under life assurance and annuity transactions (as per summary statement provided in Fourth Schedule) ...		By life assurance and annuity funds (as per balance sheet under Third Schedule)	
To surplus, if any		By deficiency, if any	

THE FIFTH SCHEDULE.

(See Section 10.)

STATEMENT OF THE LIFE ASSURANCE AND ANNUITY BUSINESS OF THE......ON THE, TO BE SIGNED BY THE ACTUARY.

(The answers should be numbered to accord with the numbers of the corresponding questions. Statements of re-assurances corresponding to the statements in respect of assurances are to be given throughout). Separate statements are to be furnished in the replies to all the headings under this Schedule for business at other than European rates.

1. The published table or tables of premiums for assurances for the whole term or life and for endowment assurances which are in use at the date above mentioned;

2. The total amount assured on lives for the whole term of life which are in existence at the date above mentioned. distinguishing the portions assured with immediate profits, with deferred profits and without profits, stating separately the total reversionary bonuses and specifying the sums assured for each year of life from the youngest to the oldest ages, the basis of division as to immediate and deferred profits being stated.

3. The amount of premiums receivable annually, for such year of life after duducting the abatements made by the application of bonuses in respect of the respective assurances mentioned under Heading No. 2 distinguishing ordinary from extra premiums. A separate statement is to be given of premiums payable for a limited number of years, classified according to the number of years' payments remaining to be made.

4. The total amount assured under endowment assurances, specifying sums assured and office premiums separately in respect of each year in which such assurances will mature for payment. The reversionary bonuses must also be separately specified, and the sums assured with immediate profits with deferred profits and without profits separately returned.

5. The total amount under classes of assurance business, other than assurances dealt with under questions 2 and 4, distinguishing the sums assured under each class and stating separately the amount assured with immediate profits with deferred profits, and without profits and the total amount of reversionary bonuses.

6. The amount of premiums receivable annually in respect of each such special class of assurances mentioned under Heading No. 5, distinguishing ordinary from extra premiums.

7. The total amount of premiums which has been received from the commencement upon pure endowment policies which are in force at the date abovementioned.

8. The total amount of immediate annuities on lives, distinguishing the amounts for each year of life, and distinguishing male and female lives.

9. The amount of all annuities on lives other than those specified under Heading No. 8, distinguishing the amount of annuities payable under each class, and the amount of premiums annually receivable.

10. The average rate of interest yielded by the assets, whether invested or uninvested constituting the life assurance fund of the company, calculated upon the mean fund of each year during the period since the last investigation, without deduction of incometax.

It must be stated whether or not the mean fund upon which the average rate of interest is calculated includes reversionary investments.

11. A table of minimum values, if any, allowed for the surrender of policies for the whole term of life and for endowments and endowment assurances, or a statement of the method pursued in calculating such surrender values, with instances of the application of such method to policies of different standing and taken out at various interval ages from the youngest to the oldest.

THE SIXTH SCHEDULE.

(See Sections 24 and 25.)

RULES FOR VALUING ANNUITIES, LIFE POLICIES AND LIABILITIES.

Rule for valuing an annuity.

An annuity shall be valued according to the tables used by the company which granted such annuity at the time of granting the same, and where such tables cannot be ascertained or adopted to the satisfaction, of the Court, then according to such rate of interest and table of mortality as the Court may direct.

Rule for valuing a policy.

The value of the policy is to be the difference between the present value of the reversion in the sum assured according to the contingency upon which it is payable, including any bonus or addition thereto made before the commencement of the winding-up and the present value of the future annual premiums.

In calculating such present values interest is to be assumed at such rate and the rate of mortality according to such tables, as the Court may direct.

The premium to be calculated is to be such premium as according to said rate of interest and rate of mortality is sufficient to provide for the risk incurred by the office in issuing the policy, exclusive of any addition thereto for office expenses and other charges.

Rule for valuing a liability.

The liquidator, in the case of all persons appearing by the books of the company to be entitled to or interested in policies granted by such company, is to ascertain the value of the liability of the company to each such person, and give notice of such value to such persons in such manner as the Court may direct, and any person to whom notice is so given shall be bound by the value so ascertained unless he gives notice of his intention to dispute such value in manner and within a time to be prescribed by a rule or order of the Court.

Statement of objects and Reasons.

The object of the Bill is to provide for the better control of Life Assurance Companies. The carrying on of life assurance business is subject to special legislation in the United Kingdom and in British India. In the United Kingdom such companies are governed by the Assurance Companies Act, 1909 and in British India by the India Life Assurance Companies Act, 1912 (Act, VI of 1912 as amended by Act, XX of 1928). The existence of such companies in Travancore has been brought to the notice of Government, and it is considered that special

legislation should be introduced in Travancore also to controal their operations in the interests of the public. This Bill has accordingly been prepared on the lines of the Indian Life Assurance Companies Act, 1912.

2. The main provisions of the Bill are designed to secure (1) that life assurance business as defined in the Bill shall be carried on only subject to the provisions of the Bill (2) that the floating and continuance of financially unsound Life Assurance Companies shall be prevented, (3) that the Government shall be kept fully and truly informed of the actual working and financial condition of such Companies, (4) that the Government shall be empowered to start winding-up proceedings if any company appear to be insolvent and (5) that full publicity shall be given to the financial condition, working, and proceedings of such companies.

KAYALAM PARAMESWARAN PILLAI

Appendix II.

THE TRAVANCORE EDAVAGAI BILL.

Whereas it is deemed expedient to provide for the settlement of Edavagais, for defining the relation between the proprietors and the tenants therein and for the recovery of the rents due to the proprietors; It is hereby enacted as follows: —

CHAPTER I.

PRELIMINARY.

Short title and extent.

1. (1) This Regulation may be called "The Travancore Edavagai Regulation."

(2) It extends to the Edavagais mentioned in the Schedule and to such other as may be notified by Our Government.

(3) Regulation IV of 1068 is hereby repealed.

Definitions.

2. In this Regulation, unless there is something repugnant in the subject or context.

(i) "Edavagai" means a compact area recognised as such in the Government accounts, the whole or any portion of which area is exempt from payment of revenue to Government;

(ii) "holding" means one or more parcels of land held under one instrument in writing, and under one set of conditions and, in case of the absence of any such instrument, held as the result of a single transaction;

(iii) "proprietor" means a sole owner or the eldest or the principal of several joint owners of an Edavagai;

(iv) "agent" means a person appointed by a proprietor for the management of his Edavagai and whose appointment has been approved by Government and notified in the Government Gazette;

(v) "tenant" means a person who derives title to a holding immediately from the proprietor, and includes the karanavan of a tarwad or manager of a joint Hindu family;

(vi) "prescribed" means prescribed by rules made by Government under this Regulation.

Settlement of rent payable in respect of Edavagais.

3. (1) At the completion of the survey of any Edavagai, Our Government may direct, by Notification in the Government Gazette, that the rents payable in respect of the holdings in such Edavagai be settled by an officer of Government.

(2) The direction mentioned in sub-section (1) of this section may be made.

(*a*) on the application of the proprietor of such Edavagai and on his agreeing, in writing, to defray the whole cost of the settlement, or

(b) without such application for reasons to be recorded by Government prior to the issue of such Notification.

4. All costs incurred by Our Government on account of a settlement conducted under section 3 shall be recoverable from the proprietors in the same manner as an arrear of land revenue.

Cost for settlement of rent.

5. (1) Subject to such rules as may be prescribed, the conduct of settlement and the proceedings of the Settlement Officer shall, as far as may be, be regulated by the procedure, for the time being in force, relating to the settlement of Government lands.

(2) The rent fixed shall in no case exceed one-fourth of the gross yield of the land and shall be subject to such deductions as may subsist by contract or by custom between the proprietors and the tenants.

Amount of rent.

6. (1) When a settlement is made under sections 3 and 5, the Settlement Officer shall prepare a record in duplicate, showing therein the extent of the land, the rent assessed, the deductions, if any, the rent payable to the proprietor and such other particulars as may be prescribed. Such record shall be signed and dated by the Officer, and shall be furnished, one to the proprietor and the other to the tenant.

Procedure adopted in settlement.

(2) The proprietor or the tenant may, within two months of the receipt or tender of the record referred to in sub-section (1), prefer an appeal to such authority as Our Government may prescribe.

(3) Where an appeal is filed under sub-section (2), notice shall be given by the appellate authority to the other party to the dispute.

(4) The appellate authority shall, after giving notice to the parties and hearing them, if they appear, record its decision in writing and pronounce the same immediately or on a date fixed in that behalf. A copy of the decision shall be furnished to any party on his applications and at his cost.

(5) The appellate authority shall also communicate its decision to the Settlement Officer, who shall, if necessary, make such modifications in the record prepared under sub-section (1) in accordance with the decision of the appellate authority.

7. (1) The completion of the settlement of an Edavagai or any portion thereof shall be published by Our Government in the Government Gazette and such settlement shall take effect from the beginning of the Malabar year next after the date of such publication.

Effect of settlement.

(2) Every settlement made under the foregoing provisions shall be in force for thirty years and shall be liable to be revised thereafter.

8. The holders of lands within the Edavagais in which a settlement has been carried out under the foregoing provisions shall have the same rights of permanent occupancy in respect of their holdings alienable and heritable as the holders of land under Government,

Rights of holders of land in Edavagais

Assignment of land within an Edavagai

9. Assignments of lands within an Edavagai shall be regulated by the law for the time being in force relating to the assignment of Government lands.

Lands not settled.

10. All lands not dealt with at the settlement shall, after the day mentioned in sub-section (1) of section 7, be deemed to be Government land within the meaning thereof in the Land Conservancy Regulation, and all or any of the provisions thereof may, at the instance of a proprietor, be made applicable to an Edavagai by a Notification in the Gazette.

Rent roll and accounts.

11. The rent-roll and other accounts relating to holdings shall be kept in the form in which Government accounts are kept and they shall be subject to the supervision of Government,

Rent due to Edappalli and Kilimanur and other settled Edavagais.

12. The rent due to Edappalli and Kilimanur Edavagais which have been already settled and the rent due to an Edavagai as settled in accordance with the foregoing provisions shall be a first charge on the holding and shall be paid to the Edavagai, in the manner prescribed, on or before the date fixed for such payment. Such rent shall be treated as public revenue, and in default of payment may be recovered as arrears of public revenue under Regulation I of 1068, subject to such rules as may be prescribed by Our Government, from time to time.

Proprietor to pay charges and losses for proceedings under section 12,

13. All charges and losses that may be incurred by Our Government in connection with any proceedings taken under section 12 shall be paid by the proprietor, and may be recovered by Our Government from him as arrears of land revenue under Regulation I of 1068.

Sale of holding for recovery of rent.

14. The sale of a holding held for realising arrears of rent under the authority of this Regulation shall be free of encumbrances, if such sale is to recover the rent due on the holding sold.

Regulation not applicable to lands held in the capacity of Jenmies.

15. Nothing in this Regulation shall be construed to apply to lands held by any proprietor in his capacity of a Jenmi under the Proclamation of 1042.

Power to make rules.

16. Our Government may make rules referred to in the foregoing provisions and may make any rules to promote the objects and purposes of this Regulation. Rules so made shall be subject to previous publication, and, when made, shall have the same effect as if they are enacted in this Regulation.

Proprietor or his agent may be empowered with powers of Tahsildar or Peishkar.

17. Our Government may, subject to such rules and conditions as may be prescribed, empower any proprietor or his agent with all or any of the powers of a Tahsildar and a Division Peishkar under Regulation I of 1068 and under Regulation IV of 1091.

Statement of Objects and Reasons.

Though at one time all holders of Government lands in the State were tenants-at-will the Government thought that, in the larger interests of the State, the tenants should have permanent rights of occupancy heritable and alienable, and the Proclamation of 1040 was the result. The policy of the Government was the same with reference to Jenmom lands and the Proclamation of 1042 was framed to give effect to the above policy. When survey and settlement were introduced in the State by means of appropriate legislation in 1058. the question of the adjustment of the rights of the Jenmies and their tenants was also taken up and a commission for the purpose was appointed in 1060. This resulted in the passing of Regulation V of 1071. In the case of Edappalli and Kilimanur were surveyed and settled and the tenants therein were given permanent rights of occupancy (Rent Recovery Regulation, IV of 1068). There are thus only two Edavagais whose tenants are in a disadvantageous position. Though, on the application of the Vanjipuzha Chief to have his Edavagai surveyed and settled, the Government undertook the survey of the same at his cost, the idea of settling the Edavagai was finally given up. The Chief has all along been agitating to have his Edavagai settled. The Chief has no objection to confer permanent rights of occupancy upon his tenants. The same may be said to be the case with Poonjar. The present legislation is therefore undertaken with a view to confer upon the tenants of Punjar and Vanjipuzha Edavagais permanent rights of occupancy as in the case of Edappalli and Kilimanur. It is considered desirable to have a single peice of legislation applicable to all Edavagais and the present Bill therefore proposes to repeal the existing Rent Recovery Regulation.

The survey of all Edavagais has been provided for by the Survey and Boundaries Regulation, X of 1094. There is no law now for the settlement of the Edavagais. A legislation of the kind is also necessary for statistical and other purposes of Government. The subjects of the State living in Edavagais have represented that they should be given electoral rights for the legislature. The principle has been accepted by Government. Unless all the Edavagis are settled, it is not possible for the officers of Government to know whether a tenant is entitled to be registered as a voter or not. With a view to secure the above objects and views, the present legislation has been undertaken.

When a survey is completed, the Bill proposes to empower the Government to undertake the settlement of Edavagais at the cost of the proprietors of such Edavagais. The conduct of the settlement and the procedure to be followed by the Settlement Officers will, subject to such modifications as may be necessary in individual cases, be the same as those that are to be followed in the case of settlement of Government lands. As soon as a settlement is made, the officer is required to give the particulars of settlement to the parties concerned and they are given

a right of appeal. The rent to be fixed shall in no case exceed one-fourth of the gross produce and the settlement will be in force for thirty years. Permanent rights of occupancy, heirtable and alienable, are conferred upon the tenants. The assignment of lands not occupied by any tenant is to be made in accordance with the rules in force applicable to Government lands. The Bill proposes to confer the right of removing unauthorised occupation in accordance with the provisious of the Land Conservancy Regulation. The rent due to the proprietors of a settled estate may be recovered under the provisions of the Revenue Recovery Regulation for the time being in force and it is open to the Government to empower a proprietor or his agent to exercise the powers of a Tahsildar or Peishkar under the said Regulation if they think fit to do so.

THE SCHEDULE.

Number.	*Name of Edavagai.*
1.	Punjar.
2.	Vanjipuzha.

Appendix III.

THE TRAVANCORE COURT OF WARDS BILL.

Contents.

CHAPTER I.

Preamble.

PRELIMINARY.

Sections.

1. Short title, extent and commencement.
2. Guardians and Wards Regulation to be read subject to this Regulation.
3. Age of majority of wards.
4. Definitions.

CHAPTER II.

THE COURT OF WARDS.

5. The Court of Wards.
6. Control of Government.
7. Powers of Court how exercised.

CHAPTER III.

ASSUMPTION OF SUPERINTENDENCE OF PERSONS AND PROPERTY.

8. Disqualification.
9. Immediate protection of disqualified heirs.
10. Recovey of expenditure.
11. Report by Division Peishkar.
12. Proprietor to be given opportunity to be heard and to adduce evidence.
13. Report by Court.
14. Government may declare proprietor disqualified and direct Court to assume superintendence.
15. Proprietor not to be declared disqualified under Section 8 (*c*) unless on ground of public interests.
16. Provision to meet case of undivided families and co-sharers.
17. Application by proprietor himself.
18. (1) Notification of assumption of superintendence.
    (2) Consequences of such notification.

CHAPTER IV.

MANAGEMENT AND GUARDIANSHIP.

19. Division Peishkar to take charge of ward's property.
20. Powers of the Division Peishkar in so doing.
21. Allowance for ward and family.
22. Custody, residence, education and marriage of ward or minor relatives.
23. Appointment, etc., of managers and guardians.

24. Division Peishkars to act if there are none.
25. Who may and may not be guardians.
26. Duties of guardians.
27. Powers of manager.
28. Duties of manager.
29. Employees of Court deemed to be public servants.
30. Regulation of expenditure.
31. Surplus how to be dealt with.
32. Disabilities of wards.
33. Powers of Court as to property under its superintendence.
34. Establishments and distribution of charges.

CHAPTER V.

ASCERTAINMENT AND SETTLEMENT OF DEBTS.

35. Notice calling upon claimants to notify claims.
36. Claimants to furnish full particulars and documents.
37. Pecuniary claim of Government, etc., not affected.
38. Claims admitted and disallowed.
39. Claims not notified cease to carry interest, etc.
40. Inadmissibility in evidence of documents not produced.
41. When mortgagee in possession may be dispossessed.
42. Provisions regarding leases for insufficient consideration.

CHAPTER VI.

SUITS.

43. Exercise of discretion not to be questioned in Civil Court.
44. Suit not to be instituted until after notice to Division Peishkar.
45. Suit or proceeding by or against ward.
46. Costs against Division Peishkar or manager how paid.
47. Suits must be authorised by Court.
48. Adjudication of civil disputes between two or more wards.

CHAPTER VII.

RELEASE OF PERSONS AND PROPERTY FROM SUPERINTENDENCE.

49. Release from superintendence.
50. Release of estates taken under management under Section 17 when debts cannot be liquidated within reasonable time.
51. When estate taken under management under Section 17 may be made over to proprietor.
52. Option to retain superintendence in certain cases.
53. Disabilities of proprietors in such cases.
54. Appointment of guardian before release.
55. Recovery of expenses after release.
56. Procedure when succession to ward's property is disputed.
57. Notification of release from superintendence.

CHAPTER VIII.

MISCELLANEOUS.

58. Powers of Court in regard to religious endowments of which ward is hereditary trustee or manager.

59. Powers of persons holding inquiries.
60. Property under charge of Court not liable to sale for arrears.
61. Power to make rules,
62. Revenue Recovery Processes to apply to recovery of money by Court.
63. Servants of a Court to be deemed public accountants.

CHAPTER IX.

PENALTIES.

64. Abetting unsanctioned marriage of wards, etc.

THE TRAVANCORE COURT OF WARDS BILL.

Preamble.

Whereas it is expendient to make certain special provisions for the due preservation of the person and property of incapacitated persons ; It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (1) This Regulation may be called the Travancore Court of Wards Regulation..............

(2) It extends to the whole of Travancore.

(3) It shall come into force on...............

Guardians and Wards Regulation to be read subject to this Regulation.

2. The Guardians and Wards Regulation 1077 (II of 1077) shall be read subject to this enactment and to every enactment hereafter passed relating to any Court of Wards.

Age of majority of wards.

1. Notwithstanding anything contained in the Travancore Majority Regulation (Regulation VII of 1099) or in any other enactment, a minor of whose property the superintendence has been or shall be assumed by any Court of Wards, before the minor has attained the age of eighteen years, shall be deemed to have attained his majority when he shall have completed his age of twenty-one years and not before.

Definitions.

4. In this Regulation unless there is something repugnant in the subject or context—

"Court" — "Court" means the Court of Wards.

"Ward." — "Ward" means a person who has been made a ward of the Court under Section 18.

"Division Peishkar." — "Division Peishkar" includes any officer appointed by Our Government to perform the functions of a Division Peishkar.

"Proprietor". — "Proprietor" means a person who owns, or who has a life interest in, land either solely or as a co-sharer and shall include the Karanavan of a Marumakkathayam Tarwad and the manager of a Hindu undivided family.

CHAPTER II.

The Court of Wards.

The Court of Wards.

5. A Board consisting of the Land Revenue Commissioner and two other persons nominated by Our Government from time to time shall constitute the Court of Wards.

Control of Government.

6. The Court of Wards shall be subject to the control of Our Government, and our Government may, if they think fit revise, modify or reverse any order passed or proceedings taken under this Regulation, whether a petition is presented against such order or proceeding or not.

Powers of Court how exercised.

7. (1) The Court may exercise all or any of the powers conferred on it by this Regulation through the Division Peishkar in whose Division any part of the property of the ward may be situated or through any other person whom it may appoint for the purpose : and may confer any of its powers on any such Division Peishkar or person and withdraw any powers so conferred.

(2) For the purpose of this Regulation the Division Peishkars shall be subject to the control of the Court.

CHAPTER III.

Assumption of Superintendence of Persons and Property.

Disqualification.

8. The following proprietors shall be deemed to be disqualified for the management of their property :—

(a) Minors.

(b) Proprietors adjudged by a competent civil court to be of unsound mind and incapable of managing their property.

(c) Proprietors declared by Our Government to be incapable of managing their property owing to any physical or mental defect or infirmity rendering them unfit to manage their property.

Immediate protection of disqualified heirs.

9. Whenever a Division Peishkar receives information that a proprietor of land situated in his Division has died, and he has reason to believe that the heir of such proprietor is, or should be declared to be, disqualified under Section 8,—

(a) he may take such steps or make such order as he thinks proper for the temporary custody and protection of the property which he has reason to believe to belong to the heir, and

(b) if the heir be minor he may direct that the person, if any, having custody of the minor, shall produce him or cause him to be produced, at such place and time, and before such person as he appoints, and may take such order for the temporary custody and protection of the minor as he thinks proper :

Provided that female minors who ought not to be compelled to appear in public shall be produced in accordance with the manner and customs of the country.

10. Al expenses incurred by a Division Peishkar acting under Section 9 shall, whether the property is afterwards taken under the superintendence of the Court or not, form a charge upon the property concerned, and shall be recoverable from the owner of such property, or the person whom the Division Peishkar shall find to be in possession of such property, as arrears of land revenue.

Recovery of expenditure.

11. Whenever any Division Peishkar, after making such enquiry as he deems necessary, has reason to believe that any proprietor in his Division is, or should be declared to be, disqualified under Section 8, he shall submit a report to the Court setting forth all the circumstances of the case:

Report by Division Peishkar.

Provided that in the case of proprietors of lands the annual value of which is less than one thousand rupees, the Division Peishkar need not report the case to the Court unless he is of opinion that the Court ought to assume the superintendence of the property.

Provided also that the Court or Our Government may call for a report in any case if deemed fit.

Explanation: The annual value shall be taken to be the full pattom assessment on the land at the last Revenue Settlement; and in case there be no such assessment the annual value shall be such as is determined by Our Government or under rules passed by Our Government.

12. (1) Before reporting to the Court under Section 11 that a proprietor should be declared to be disqualified under Section 8, the Division Peishkar shall give notice to such proprietor and afford him a reasonable opportunity to be heard and to adduce evidence.

Proprietor to be given opportunity to be heard and to adduce evidence.

(2) All questions as to whether the provisions of this Section have been complied with shall be decided by Our Government and such decision shall be final.

13. The Court shall consider the Division Peishkar's report, and shall report the case to Our Government with its recommendation and, pending the receipt of orders, shall have power to take such steps as it may deem necessary for the protection of the person and property of the proprietor in question.

Report by Court.

14. Our Government, may, on receipt of the Court's recommendation, declare the proprietor to be disqualified within the intent of Clause (*c*) of Section 8 and Our Government may, in any case falling under Section 8, order the Court to assume the superintendence of the person or property or both of the proprietor.

Government may declare proprietor disqualified and direct Court to assume superintendence.

15. Our Government shall not declare any proprietor to be disqualified within the intent of Clause (c) of Section 8 unless they are satisfied that it is expedient in the public interests that his property should be managed by the Court and a statement to this effect shall be inserted in the declaration made by Our Government under Section 14.

Proprietor not to be declared disqualified under section 8 (c) unless on ground of public interests

16. (1) Our Government shall not, except under Section 17, order the Court to take the property of any Marumakkathayam Tarwad or any undivided Hindu family under its superintendence unless—

Provision to meet case of undivided families and co-shares.

(a) all the Tarwad members or the co-parceners, as the case may be, are or are declared to be disqualified under Section 8, or.

(b) the proprietor is or is declared to be disqualified under Section 8 and the majority of the Tarwad members or co-parceners, as the case may be, agree in writing to such superintendence.

(2) When two or more proprietors are co-sharers, otherwise than as co-parceness in an undivided Hindu family or as members of a Marumakkathayam Tarwad, and one of such co-sharers is or is declared to be disqualified under Section 8, Our Government may order the Court to institute a suit for partition on behalf of the disqualified proprietor and to take under its superintendence the property allotted to such proprietor in the partition.

17. A proprietor may make application to Our Government to have his property placed under the superintendence of the Court, and Our Government may, on being satisfied that it is expedient in the public interests that such property should be managed by the Court, make a declaration to that effect and order the Court to assume the superintendence of such property.

Application by proprietor himself.

Explanation: In the case of a proprietor who is the Karanavan of a Marumakkathayam Tarwad or is the manager of a Hindu family, the Tarwad property or family property of which he is, or shall become entitled to be, in possession shall also be deemed to be his property for all the purposes of this Regulation.

18. (1) Whenever under Section 14 or 17 Our Government order the Court to take under its superintendence the person or property of a proprietor or both, such order of Our Government, together with any declaration made under the aforesaid Sections, shall be notified in Our Government Gazette. The notification shall specify the Division Peishkar who shall discharge the duties imposed upon a Division Peishkar by this Regulation in respect of such person or property or both as the case may be.

Notification of assumption of superintendence.

(2) Such proprietor shall be deemed to have become a ward under the Court from the date of the said order of Our Government and the superintendence of his person or property or of both shall take effect from the said date and, as to property, shall extend to all movable and immovable property belonging to him at the date of the order, or to which he shall afterwards become in any way entitled whilst he continues under such superintendence:

Consequences of such notification.

Provided that it shall be in the discretion of the Court to assume or refrain from assuming the superintendence of any property which the ward may acquire otherwise than by inheritance subsequent to the date of the order of Our Government under Section 14 or 17.

CHAPTER IV.

MANAGEMENT AND GUARDIANSHIP.

19. When the Court has assumed the superintendence of the property of a ward, the Division Peishkar specified in the notification under Section 18 or, if so directed by the Court, the Division Peishkar of the Division in which any part of the property is situated, shall take possession and custody of such property on behalf of the Court.

Division Peishkar to take charge of ward's property.

20. It shall be lawful for such Division Peishkar—

Powers of the Division Peishkar in so doing.

(*a*) to order any person in possession of any movable property to the possession of which the ward is entitled or of any accounts or papers relating to the property of such ward to deliver up such movable property, accounts or papers;

(*b*) in case there is reason to believe that any movable property to the possession of which the ward is entitled or any accounts or papers relating to the property of the ward are to be found in any room, box, or receptacle within any house in the actual possession of the ward, to break open such room, box or receptacle or authorise the same to be broken open for the purpose of searching for such property, accounts or papers,

(*c*) to order any person who is or has been in the employ of the ward, and any person who was in the employ of the immediately preceding proprietor, to attend before him for examination; and to defray the necessary expenses of any person so attending out of the assets of the estate;

(*d*) to order all holders of tenures and under-tenures on the ward's property to produce their titles before him.

21. The Court may determine what sums shall be allowed for the expenses of the ward and of his family and dependents and of those who are entitled to be maintained out of the property taken possession of on behalf of the Court.

Allowance for ward and family.

Custody, residence, education and marriage of ward or minor relatives.

22. The Court may make such orders and arrangements, as to it may seem fit, in respect of the custody, residence, education and marriage—

(*a*) of any ward whose person is for the time being under superintendence,

(*b*) of any minor child, minor brother, or minor sister of such ward or minor or incapacitated *seshakaran* or co-parcener, as the case may be, of such ward who, in the opinion of the Court, is entitled to maintenance at the charge of the ward's estate,

(*c*) of the ward's next male heir being a minor and also so entitled to maintenance.

Appointment, etc., of managers and guardians.

23. (1) The Court may appoint managers for the property, and guardian for the person, of any ward, and may control or remove any manager or guardian so appointed:

Provided that it shall not appoint a guardian for any person who has become a ward in pursuance of an order under Section 17.

(2) Any appointment made under this Section shall terminate when the Court ceases to exercise superintendence over the person for whom a guardian, or over property for which a manager, has been appointed.

Division Peishkars to act if there are none.

24. If no manager of the property or guardian of the person of a ward is appointed by the Court, or the office if temporarily vacant, the Division Peishkar specified in the notification under Section 18, or any other Division Peishkar whom the Court may appoint in this behalf, shall be competent, under the control of the Court, to do anything that might be done by such manager or guardian.

Who may and may not be guardians.

25. (1) No person being the next legal heir of a ward or appearing to have a direct or indirect advantage in the death or continued disqualification of such ward shall be appointed guardian of such ward;

Provided that the mother of the ward, or any person appointed guardian by the will of a person authorised to make such appointment, may be appointed guardian by the Court at its discretion.

(2) A female guardian shall be appointed for a female ward, and a male guardian for a male ward above seven years of age, unless, in any case, the Court, for special reasons, shall direct otherwise;

Provided that no guardian shall ordinarily be appointed for a female ward if she has an adult husband.

Duties of guardians.

26. A guardian appointed under Section 23 shall be charged with the custody of the ward, and, subject to the control of the Court, shall make suitable provision for his maintenance and health, and, if he be a minor, for his education and for such other matters as are required by the personal law to which the ward is subject, and shall—

(a) give such security (if any) as the Court thinks fit, for the due performance of his duty;

(b) submit such accounts as the Court may direct;

(c) pay the balance due from him thereon;

(d) continue liable to account to the Court after he has ceased to be guardian for his receipt and disbursements during the period of his guardianship;

(e) apply for the sanction of the Court to any act which may involve expense, not previously sanctioned by the Court;

(f) be paid such allowance out of the property of the ward as the Court thinks fit.

Powers of manager.

27. Every manager appointed by Court shall have power, subject to the control of the Court, to collect the rents of land placed under his charge, as well as all other money due to the ward, and to grant receipts therefor, and may, under the orders of the Court, grant or renew such leases as may in his opinion be necessary for the good management of the property, and do all such lawful acts as may be generally or specially authorised by the Court to do for the good management of the property.

Duties of manager.

28. Every manager appointed by the Court shall manage the property placed under his charge diligently and faithfully and shall –

(a) give such security, if any, as the Court thinks fit, duly to account for what he may receive in respect of the rents and profits of the property under his charge;

(b) keep such accounts in such form and submit them at such times as the Court may direct;

(c) deal with all moneys received by him in such manner as the Court may direct;

(d) apply for the sanction of the Court to any act which may involve the property in expense not previously sanctioned by the Court;

(e) be responsible for any loss occasioned to the property by his negligence or wilful default;

(f) continue liable to account to the Court after he has ceased to be manager for his receipts and disbursements during the period of his managership:

(g) be paid such allowances out of the property of the ward as the Court thinks fit.

Employees of Court deemed to be public servants.

29. Every guardian, manager or other servant of the Court, shall be deemed to be a "public servant" within the meaning of Sections 153 to 157 of the Travancore Penal Code (Regulation I of 1074) and in the definition of "legal remuneration" contained in the said Section 153, the word "Government" shall, for the purposes of this Section, be deemed to include the Court.

30. Unless the Court otherwise directs, all moneys recieved by or on behalf of the Court on account of the property of any ward, shall be employed in meeting the charges included in Class I hereinafter specified, before it is employed in meeting the charges in Classes II and III hereinafter specified, and in meeting the charges in Class II before it is employed in meeting those in Class III.

Regulation of expenditure.

CLASS I.

Charges necessary for the maintenance, residence, education, marriage and indispensable religious observances of the ward and his family and of those in respect of whom such charges have to be paid out of the property of the ward.

Charges necessary for the management and supervision of the property of the ward.

Charges on account of Government revenue and of all cesses and other public demands due in respect of such property, or any part of such property.

CLASS II.

Charges on account of rent, cesses or demands due to any superior landholder in respect of any land held on behalf of the ward.

The liquidation of debts payable by the ward out of the property taken charge of by the Court.

Expenses necessary to protect the interests of the ward in the Civil Courts or otherwise.

The maintenance in efficient condition of the estates, buildings and other immovable property and the suitable upkeep of the furniture equipage, live-stock and other movable property belonging to the ward.

CLASS III.

The payment of such charges for the religious observances of the ward and his family and of such religious, charitable and other allowances, and of such donations befitting the position of the ward's family as the Court may authorise to be paid.

The prevention and relief of distress among the ward's tenantry.

The improvement of the land and property of the ward and the benefits of the ward and his property generally.

31. Any surplus which remains after providing, so far as the Court deems fit, for the objects mentioned in Section 30, shall be applied in the purchase of other landed property or invested at interest on the security of first mortgages of immovable property situate in Travancore, provided that the property is not a leasehold for a term of years and that the value of the property exceeds by one-third, or, if consisting of buildings, exceeds by one-half, the mortgage money, or invested in such public securities as may be specified by Our Government from time to time.

Surplus how to be dealt with.

Disabilities of wards.

32. A ward shall not be competent,

(*a*) to transfer or create any charge on, or interest in, any part of his property which is under the superintendence of the Court, or to enter into any contract or to make any acknowledgment involving him in pecuniary liability personally or in respect of such property: but nothing in this Clause or in Section 22 shall be deemed to affect the capacity of a ward to enter into a contract of marriage: Provided that he shall not incur in connection therewith any pecuniary liability, except such as, having regard to the personal law to which he is subject and to his rank and circumstances, the Court may, in writing, declare to be reasonable.

(*b*) to grant valid receipts for the rents and profits arising or accruing from such property or for debts or other moneys due to the estate;

(*c*) to adopt or to give a written or verbal permission to adopt, without the consent of the Court;

(*d*) to dispose of his property by will without the consent of the Court:

Provided, firstly, that the Court shall not withhold its consent under Clause (*c*) or (*d*) if the adoption or testamentary disposition is not contrary to the personal or special law applicable to the ward, and does not appear likely to cause pecuniary embarrassment to the property, or the lower the influence or respectability of the family in public estimation:

Provided, secondly that the Court may confirm a will or an adoption made, or a permission to adopt given, without its previous consent: and

Provided, thirdly, that the provisions of Clauses (*c*) and (*d*) shall not apply to any proprietor in regard to whose property a declaration has been made under Section 17.

Powers of Court as to property under its superintendence.

33. The Court may mortgage or sell the whole or any part of any property under its superintendence and may give leases or farms of the whole or any part of such property for such terms as it thinks fit, and may make remissions of rent or other dues, and may generally pass such orders and do such acts not inconsistent with the provisions of this or any other Regulation for the time being in force as it may judge to be for the advantage of the ward or for the benefit of the property.

Establishments and distribution of charges.

34. The Court may order such establishments to be employed and charges to be incurred as it shall consider requisite for the care and management of the persons and properties under its superintendence, and generally for all the purposes of this Regulation, and may order that such charges shall be borne by and distributed amongst the said properties in such proportions as it deems fit.

CHAPTER V.

ASCERTAINMENT AND SETTLEMENT OF DEBTS.

Notice calling upon claimants to notify claims.

35. (1) On the publication of a notification under Section 18, the Division Peishkar therein specified may, at any time with the previous sanction of Our Government, publish in our Government Gazette a notice in English and Malayalam, and in such other languages as he may consider expedient, calling upon all persons having pecuniary claims, whether immediately enforceable or not against the ward or property to notify the same in writing to the Division Peishkar within six months from the date of such notification.

(2) The notice shall also be published at such places and in such other manner as the Court may, by general or special order, direct and shall be sent by registered post or anchal to every person who is known to the Division Peishkar as having a pecuniary claim against the ward or his property and of whose address the Division Peishkar is credibly informed.

(3) Our Government may, at any stage of the proceeding under Sections 35, 36 and 38, invest any person either by name or in virtue of his office with the powers of a Division Peishkar for any or all of the purposes of these Sections.

Explanation.—A claim shall be deemed to be pecuniary for the purpose this Section and Sections 36 and 39 notwithstanding that a suit for its enforcement or a reference of such claim to arbitration is pending or that a decree or award has been passed establishing the same.

Claimants to furnish full particulars and documents.

36. (1) Every such claimant shall, within the period prescribed by Section 35, notify to the Division Peishkar in writing his claim with particulars thereof:

Provided that any claim presented after the expiration of such period within a further period of six months may be admitted if the claimant satisfies the Division Peishkar that he had sufficient cause for not notifying the claim at an earlier date.

(2) Every document (including entries in books of account) in the possession of or under the control of the claimant on which he founds his claim, shall be produced before the Division Peishkar with the statement of claim or within such time after the preferring of the claim as may be allowed by the Division Peishkar in that behalf:

Provided that if the claim relates to an amount secured by a decree or award, it shall be sufficient for the claimant to produce before the Division Peishkar a certified copy of the decree and a certificate from the Court which passed or is executing the same declaring the amount recoverable thereunder or a true copy of the award and a statement of the sum recoverable thereunder as the case may be and if the claim is pending adjudication in any court or has been referred to arbitration, it shall be sufficient for the claimant to produce a certified copy of the plaint or a true copy of the reference to arbitration as the case may be.

(3) It shall be lawful for the Division Peishkar to require the production by any claimant of such of the documents in his possession or power relating to his claim other than the documents, if any, produced under sub-section (2) as the Division Peishkar may consider necessary.

(4) Unless the Division Peishkar shall otherwise direct, every document produced under this Section, shall be accompanied by a true copy thereof. The Division Peishkar shall mark the original document for the purpose of identification and, after examining and comparing the copy with it, shall retain the copy and return the original to the claimant.

Pecuniary claim of Government, etc., not affected.

37. Nothing contained in Sections 35 and 36 shall apply to any pecuniary claim of Our Government or any local authority or to claims for maintenance or for wages or salaries due to servants.

Claims admitted and disallowed.

38. The Division Peishkar shall after making such enquiry as he may deem fit, decide which claims notified or admitted under Section 36 are to be allowed in whole or in part, and which are to be disallowed, and on his decision being confirmed by the Court, shall give written notice of the same to the claimants:

Provided that nothing herein contained shall be construed as precluding any claimant from continuing or instituting proceedings in any Civil Court in respect of any claim whether such claim be allowed or disallowed by the Court in whole or in part.

Claims not notified cease to carry interest, etc.

39. Every pecuniary claim against the ward or his property which has not been duly notified to, or admitted by, the Division Peishkar under Section 36 shall, notwithstanding any law, contract, decree or award to the contrary, cease to carry interest from the expiration of the period prescribed by Section 35, and shall not be paid until after the discharge or satisfaction of the claims notified or admitted under Section 36.

Inadmissibility in evidence of documents not produced.

40. No document in the possession or under the control of the claimant which should have been, but has not been, produced in accordance with the requirements of Section 36, shall be admissible in evidence against the ward or his representative in any suit brought by or against the claimant, or any person claiming under him, unless it be proved to the satisfaction of the Civil Court that it was not within his power to produce such documents before the Division Peishkar.

When mortgagee in possession may be dispossessed

41. (1) When any property of a ward is in the possession of a mortgagee or any person claiming under the mortgagee Our Government may on being satisfied that it is expedient in the public interests that the estate should be preserved and that such incumbrancer should deliver up possession of the mortgaged property, make a declaration to that effect, and direct the Court to take possession thereof; the Court shall thereupon by an order in writing require such incumbrancer to deliver up possession of the same to the manager at the end of the then current revenue year.

(2) If such incumbrancer refuses or neglects to obey such order, the Division Peishkar may, without resorting to a Civil Court, enter upon the property and summarily evict therefrom the said incumbrancer and any other person obstructing or resisting on his behalf.

(3) If in the instrument of mortgage under which the incumbrancer is in possession of the property no rate of interest is specified, the Division Peishkar shall, in cases where the mortgage debt has been notified to or admitted by him, offer to the incumbrancer the rate of interest which appears to him to be reasonable: and pass an order fixing the rate accordingly. Copy of the order shall be served upon the incumbrancer in the manner prescribed by the Code of Civil Procedure for service of summons upon a defendant. If the incumbrancer be dissatisfied with the rate of interest so fixed, he may within three months from the date of service upon him of such order, institute a suit against the ward in the District Court within whose jurisdiction the property mortgaged or any portion thereof is situate, and the said Court shall, if the mortgaged debt has been notified or admitted as aforesaid, pass a declaratory decree fixing such rate of interest as to it may seem reasonable. If no such suit be instituted within the said period, the incumbrancer shall be deemed to have agreed to the rate fixed by the Division Peishkar.

(4) If an incumbrancer is dispossessed under this Section, the money due to him under the instrument of mortgage at the date of such dispossession together with subsequent interest on the unliquidated principal of the mortgage debt at the rate stipulated in the said instrument, and in the absence of such stipulation at the rate determined as hereinbefore provided, shall, subject to the provisions of Section 39, and subject to the charges specified in Clauses I and II in Section 30, excepting the liquidation of debts payable by the ward, and the provisions with reference to the upkeep of the furniture, equipage, live-stock and other movable property belonging to the ward, be recoverable, together with any money which he may be legally entitled to add to the principal money on the security of the property mortgaged and of the rents and profits arising or accruing therefrom subsequent to the date of such dispossession, in the same manner as if he were a simple mortgagee under the said instrument of such property and of such rents and profits.

(5) The Division Peishkar shall, as soon as conveniently may be, after the expiration of the revenue year commencing with the date of such dispossession and of every successive revenue year, declare, subject to the approval of the Court, the gross annual rents and profits realised from such property, the several heads of the expenditure and the balance, and such declaration shall be conclusive evidence of the statements therein contained. A copy of such declaration shall be furnished to the dispossessed incumbrancer free of charge.

42. (1) When any property of a ward is in the possession of any person claiming to hold under a lease granted by the ward and dated within the three years immediately preceding the commencement of the superintendence or of any person claiming under such lease, the Division Peishkar may inquire into the sufficiency of the consideration for which the lease was granted; and if such consideration appears to him inadequate, he may, with the previous sanction of the Court, give notice in writing that the lease shall determine at the end of the then current revenue year unless the lessee or any one claiming under him pays or agrees to pay such additional consideration as may be mentioned in such notice within a date therein fixed. If within such date such person does not pay or enter into an agreement to pay the additional consideration demanded or such other consideration as the Division Peishkar be willing to accept, the lease shall determine at the end of the then current revenue year:

Provisions regarding leases for insufficient consideration.

Provided that such person may, if dissatisfied with the said notice of the Division Peishkar, institute a suit against the ward within three months from the date of service of such notice in a District Court within whose jurisdiction the property comprised in the lease or any portion thereof is situate for determining whether the consideration for the lease was adequate, and if not whether the additional consideration demanded by the Division Peishkar or what other amount is reasonable

(2) If the said District Court be satisfied that the lease was granted for adequate consideration and it is not shown to be otherwise invalid, it shall pass a decree establishing the validity of the lease.

(3) If the District Court holds the consideration for the lease to be inadequate, it shall determine the amount of additional consideration to be paid by the lessee.

(4) If no such suit be instituted or if on the institution of such suit the lessee does not within one month from the date of the decree therein pay or enter into an agreement to pay the additional consideration, determined by the District Court, the Division Peishkar may without resorting to a Civil Court enter upon the property and summarily evict therefrom such person and any other person obstructing or resisting on his behalf.

CHAPTER VI.

SUITS.

43. No declaration made by Our Government under Section 14 or Section 17 and no act done in the exercise of any discretionary power conferred by this Regulation shall be questioned in any Civil Court.

Exercise of discretion not to be questioned in Civil Court.

44. (1) No suit relating to the person or property of any ward shall be instituted in any Civil Court until the expiration of two months after notice in writing has been delivered to or left at the office of the Division Peishkar specified in the notification under Section 18,

Suit not to be instituted until after notice to Division Peishkar.

(2) Such notice shall state the name and place of abode of the intending plaintiff, the cause of action and the relief which he claims; and the plaint shall contain a statement that such notice has been so delivered or left:

Provided that notice under this section shall not be required in the case of any suit the period of limitation for which will expire within three months from the date of the notification under Section 18.

Suit or proceeding by or against ward.

45. In all suits or proceedings in any Civil or Revenue Court the ward shall sue and be sued in his own name, and the manager of his property appointed under Section 23 or, if there is no manager, the officer competent to act as manager under Section 24 shall represent him, as next friend or guardian *ad litem* as the case may be.

Costs against Division Peishkar or Manager how paid.

46. If in any such suit or proceedings any Civil or Revenue Court shall decree any costs against the manager (or other officer competent to act as manager under Section 24) the Court of Wards shall cause such costs to be paid out of any property of the ward which, for the time being, may be in its hands.

Suits must be authorised by Court.

47. No suit shall be brought on behalf of any ward by the manager (or other officer competent to act as manager under Section 24) unless authorised by some particular or general order of the Court.

Provided that a manager (or other officer as aforesaid) may file a plaint in order to prevent a suit from being barred by the law of limitation, but such suit shall not be further proceeded with until the consent of the Court has been obtained.

Adjudication of Civil disputes between two or more wards.

48. (1) When any question arises as between two or more wards of such a nature that an adjudication upon it by a Civil Court is expedient, it shall be lawful for the Court of Wards, acting through the Division Peishkar of the Division in which a case might have been stated for the opinion of the Civil Court with regard to such matter under the provisions of the Code of Civil Procedure, to file in the Civil Court having jurisdiction, a statement containing the point or points for determination.

(2) When such statement has been filed the Civil Court shall appoint a guardian *ad litem* for each ward having a separate interest, and such guardians shall thereupon conduct the case subject to the general control of the Court of Wards.

(3) The Civil Court may, if it thinks fit, amend the case so stated and shall then proceed to hear and dispose of the case in the manner provided in the Code of Civil Procedure for the hearing and disposal of cases stated for opinion under that Code.

CHAPTER VII.

Release of Persons and Property from Superintendence.

Release from Superintendence.

49. The Court may, (with the previous sanction of Our Government in all cases where superintendence has been assumed in pursuance of orders under Section 14), at any time release from its superintendence the person or property of a ward or both and shall, save as provided in Section 52, release from superintendence—

(*a*) the person and property of a ward disqualified under clause (*a*) of Section 8 as soon as he ceases to be a minor;

(*b*) the person and property of a ward disqualified under clause (*b*) of Section 8 as soon as it is found by a competent Civil Court that the disability has ceased;

(*c*) the person and property of a proprietor declared to be disqualified under clause (*c*) of Section 8 as soon as Our Government revokes its declaration that such proprietor is disqualified.

Release of estates taken under management under Section 17 when debts cannot be liquidated within reasonable time.

50. (1) The Court may, with the previous sanction of Our Government, at any time within two years from the date of the notification published under Section 18, release from its superintendence on a day to be notified, the property of a person who has been made a ward of the Court in pursuance of an order under Section 17 without liquidating any of his debts and liabilities, or after liquidating some of the debts and liabilities, when the Court is satisfied that it is impracticable to liquidate within a reasonable time, all the debts and liabilities, or such of them as have not been liquidated and in either case the legal incapacity of such ward shall cease on the date so notified.

(2) Whenever an incumbrancer is dispossessed under Section 41 and his debt remains unliquidated at the time the Court releases from its superintendence the property of such ward under sub-section (1) the Division Peishkar shall replace the incumbrancer in possession.

(3) Whenever the property of a person is released under sub-section (1) from the superintendence of the Court, the provisions of Sections 39 and 40 shall not apply to any of the debts and liabilities of the ward remaining unliquidated at the time when his property is so released.

(4) In computing the period of limitation applicable to a suit brought or application made against such person or his legal representative after the Court has released his property under sub-section (1) the time during which the superintendence of the Court continued shall be excluded.

When estate taken under management under Section 17 may be made over to proprietor.

51. The Court may, with the previous sanction of Our Government, replace any proprietor, made a ward of the Court in pursuance of an order under Section 17, in the management of his estate on a day to be notified, if the debts and liabilities binding on his estate have been discharged, and the Court is satisfied that he will thereafter be competent to take charge of his

estate and administer his own affairs and his leagal incapacity shall cease on such date.

52. When a ward dies or ceases to be disqualified before the debts and liabilities binding on his estate have been discharged, the Court may, with the previous sanction of Our Government, retain the property under its superintendence until the debts and liabilities are discharged or for any shorter period, and when for the purpose of discharging such debts and liabilities the Court has raised money on condition that it should retain the superintendence of the property until the money so raised be repaid, the Court shall not without the consent of the lender or his representatives withdraw from superintendence until the money so raised has been repaid :

Option to retain superintendence in certain cases.

Provided that, after the death of the ward, the Court shall not retain charge on account of any debt or liability which has been declared by a Civil Court not to be binding on the representatives of the deceased ward.

53. If the Court retains the superintendence under the provisions of the last preceding Section, the person who has succeeded to the property, or the person who has ceased to be disqualified shall in so far as the property in question is concerned be deemed to be a ward of the Court for the purposes of clauses (*a*) and (*b*) of Section 32.

Disabilities of proprietors in such cases

54. (1) When the Court decides to release from its superintendence the person and property of a minor it may, before such release, by an order in writing, appoint any person to be the guardian of the person or property or both of such minor.

Appointment of guardian before release.

(2) Such appointment shall take effect from the date of such release.

(3) In appointing a guardian under this Section the Court shall be guided by the provisions of Section 15 of the Guardians and Wards Regulation 1077 (Regulation II of 1077).

(4) Every such guardian shall have and be subject to the same rights, duties and liabilities as if he had been appointed under the Guardians and Wards Regulation 1077 (Regulation II of 1077).

55. Any expense incurred by the Court on account of any property under its charge, and not defrayed from such property, during the Court's superintendence may after the release of such property be recovered as if it were an arrear of land revenue from any person into whose possession such property or any part thereof may have passed :

Recovery of expenses after release.

Provided that the sum so recovered from any such person shall not be greater than the value of any such property, which so passed into the possession of such person.

56. Whenever, on the death of any ward, the succession to his property or any part thereof is disputed, the Court may either direct that such property or part thereof be made over to any person claiming the property, or may retain the superintendence of the property

Procedure when succession to ward's property is disputed.

until a claimant has established his title to the same in a competent Civil Court, or institute a suit of interpleader against all claimants.

Notification of release from superintendence.

57. Whenever the Court releases any person or property from its superintendence the fact of such release shall be notified in Our Government Gazette.

CHAPTER VIII.

MISCELLANEOUS.

Powers of Court in regard to religious endowments of which ward is hereditary trustee or manager.

58. If a ward is the hereditary trustee or manager of a temple, mosque or other religious establishment or endowment, the Court may make such arrangements as it thinks fit for the discharge, during the wardship, of the ward's duties as trustee or manager, provided that for the direct and personal management of the religious affairs of any such institution, establishment or endowment, the Court shall appoint suitable persons other than officers of Our Government and the Court shall as far as possible restrict its superintendence to the preservation of the property belonging to the institution, establishment or endowment.

Powers of persons holding inquiries

59. In holding any inquiry under this Regulation the Division Peishkar or other persons authorised to hold such inquiry shall have all the powers conferred on Revenue Officers by Regulation V of 1063 (Revenue Summons Regulation) and the provisions of that Regulation shall apply *Mutatis mutandis*.

Property under charge of Court not liable to sale for arrears.

60. No immovable property under the superintendence of the Court shall be liable to sale on account of arrears of land revenue accruing while such estate is under the superintendence of the Court.

Provided that all such arrears of revenue shall be the first charge upon the sale-proceeds of any such property which may be sold for any other causes than for arrears of revenue.

Power to make rules.

61. The Court, may, with the previous sanction of Our Government, make rules consistend with this Regulation—

(*a*) regulating the management of property under the superintendence of the Court; and

(*b*) generally for the guidance of all persons in all proceedings under this Regulation and for carrying out the provisions of this Regulation.

Revenue Recovery Processes to apply to recovery of money by Court.

62. The rents and all other moneys whatsoever which the Court or the Division Peishkar or a manager appointed by the Court may collect on behalf of the ward under the provisions of this Regulation may be recovered from the party concerned as if they were arrears of land revenue.

63. Every manager or other servant of the Court entrusted with the receipt, custody or control of moneys or securities for money on behalf of the Court or with the management of any property under its superintendence shall be deemed to be a public accountant within the meaning of Regulation III of 1080 (Public Accountants Regulation) and shall be liable to be dealt with under that Regulation.

Servants of a Court to be deemed public accountants.

CHAPTER IX.

PENALTIES.

64. Whoever, without the previous consent of the Court, abets the marriage of any of the persons specified in clauses (*a*), (*b*) and (*c*) of Section 22 shall be liable, on conviction before a court not below that of a Magistrate of the First Class, to a fine not exceeding Rs. 2,000 or to imprisonment for a term not exceeding six months or to both.

Abetting unsanctioned marriage of wards, etc.

STATEMENT OF OBJECTS AND REASONS.

The object of this measure is to provide for the protection of the person and property of incapacitated persons such as, *e*, *g*., minors and persons of unsound mind. The Bill proposes a State agency called the "Court of wards" to take charge of the person and property of the incapacitated persons, the "wards", for the purpose of looking after the person and the proper management of the property. The Court proposed is a Board consisting of the Land Revenue Commissioner and two other persons nominated by Government (see Clause 5) and it exercises its functions through the Division Peishkar (see Clauses 7 and 9 to 12) and is subject to the control of Government (see Clauses 6, 13 and 14). The Court' though thus a statutory body and thougt it is proposed to be given special powers and duties and invested with special methods of action, is in essence a guardian of the person and property of the wards and the rights and liabilities of the Court are very similar to those of other guardians. It is not intended that the Court should take over the person and property of every incapacitated person. The intervention of the Court is generally intended only in the case of persons of some social position and importance and possessed of considerable property, particularly, where public interests also would be a consideration for the superintendence by the Court (see Clause 15). On grounds of public interests too, Government are given power to declare persons to be incapable of managing their property (see Clauses 8 (*c*) and 15) and, again on grounds of public interest, the property of even persons not incapacitated may be taken over by the Court as when the proprietor of, say, a heavily encumbered estate applies for the benefit of the superintendence by the Court, (see Clause 17). Special provisions are made in the Bill for the guardianship of the wards and the management of their estate (see Chapter IV) as also for the ascertainment and settlement of the debts due from the wards (see Chapter V). When

the necessity for the superintendence by the Court is over, as also when it ceases to be useful, the Court may withdraw from the superintendence (see Chapter VII). It is also provided that the rents and other moneys due to wards may be recovered under the Revenue Recovery Processes (see Clause 62) and that the servants of the Court shall be liable to be dealt with as public accountants under the Public Accountants Regulation, III of 1080 (see Clause 63).

2. There are statutes in British India and in Cochin providing for Courts of Wards. This Bill is drawn closely on the lines of the Madras Court of Wards Act, 1902 and the Cochin Court of Wards Regulation XIII of 1097.

APPENDIX IV.

The Travancore Importation of Live Stock Bill.

Whereas it is expedient to provide for the Regulation of the importation of livestock affected or suspected or liable to be affected by infectious or contagious diseases, it is hereby enacted as follows —

1. (i) This Regulation may be called "The Travancore Importation of Livestock Regulation."

Short title extent and commencement.

(ii) It extends to the whole of Travancore.

(iii) It shall come into force at once.

2. In this Regulation, unless there is anything repugnant in the subject or context.

Definitions.

(*a*) the expression "infectious or contagious diseases" includes anthrax, rinderpest, foot and mouth disease, glanders and farcy and any other disease or diseases which may, as occasion arises, be specified as such by Our Government by a notification published in Our Government Gazette.

(*b*) "Livestock" includes horses, kine, buffaloes, sheep and any other animal or animals which may, as occasion arises, be specified as such by Our Government by a notification published in Our Government Gazette.

Power to regulate importation of livestock.

3. (i) Our Government may, by a notification published in Our Government Gazette, regulate, restrict or prohibit in such manner and to such extent as they may think fit, the bringing or taking by sea, backwater or land, into Travancore or any specified place therein, of any livestock affected or suspected or liable to be affected by infectious or contagious diseases and of any fodder, dung, stable-litter, clothing, harness or fittings appertaining to such livestock or that may have been in contact therewith.

(ii) A notification published under sub-section (i) shall operate as if it had been issued under Section 18 of the Travancore Sea Customs Regulation of 1088 (V of 1088) and the officers of Sea Customs or other officers appointed by Our Government in this behalf shall have the same powers in respect of any livestock or thing with regard to the importation of which such a notification has been issued, and the vessel containing the same, as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by law relating to the Sea Customs and the vessel containing the same;

and the enactments for the time being in force relating to the Sea Customs or any such article or vessel shall apply accordingly.

Power to make rules.

4. (i) Our Government may make rules for the detention, inspection, disinfection or destruction of imported livestock, and of fodder, dung, stable-litter, clothing, harness or fittings appertaining to imported livestock, or that may have been in contact therewith, and for regulating the powers and duties of the officers who may be appointed in this behalf.

(ii) In making any rule under this Section, Our Government may direct that a breach thereof shall be punishable with fine which may extend to one thousand rupees.

Protection to persons acting under this Regulation.

5. No suit prosecution or other legal proceeding shall lie against any person for anything done or intended to be done in good faith under this Regulation.

Statement of objects and Reasons.

Contagious and infectious diseases such as rinderpest at foot and mouth disease, which often break out among cattle in this country can invariably be traced to the importation of cattle suffering from such diseases from outside the State. The most effective method of preventing the outbreak of these diseases is not to allow infected cattle to come into this country. With this object in view the Bill has been drafted.

Section 3 which is the most important Section in the Bill is divided into two sub-divisions. Under sub-section (i) Government take power to regulate, restrict or prohibit the importation of livestock affected or suspected or liable to be affected by contagious or infectious diseases, and of fodder, dung, etc., appertaining to such livestock. Sub-section (ii) describes the method by which sub-section (i) is to be brought into operation.

Section 4 gives Government power to make rules. Such rules will have *inter alia* to provide for posting veterinary officers at the frontier stations through which cattle are ordinarily imported, *viz.*, Aramboly, Puliyara, Kumili and Karukutti for the inspection of imported cattle by such officers, for the detention of such of them as may be affected or liable to be affected by contagious or infectious diseases, for making necessary arrangements to take care of the cattle detained and for doing such other things as may be necessary to enforce the Regulation.

The Bill is drawn on the lines of the British Indian enactment, the livestock Importation Act, 1898 (IX of 1898).

APPENDIX V.

The Travancore Lunacy Bill.

CONTENTS.

Preamble.

PART I.

PRELIMINARY.

CHAPTER I.

Clauses.

1 Short title, extent and commencement.
2 Definitions.

PART II.

RECEPTION, CARE AND TREATMENT OF LUNATICS.

CHAPTER II.

Reception of lunatics.

3 Reception of persons in Asylum.

Reception orders on petition.

4 Application for reception order.
5 Application by whom to be presented.
6 Procedure upon petition for reception order.
7 Detention of alleged lunatic pending enquiry.
8 Consideration of petition.
9 Order.
10 Further provisions as to reception orders on petition.
11 Power to appoint substitute for the person upon whose application a reception order has been made.

Reception orders otherwise than on petition.

12 Powers and duties of Police in respect of wandering or dangerous lunatics and lunatics cruelly treated or not under proper care and control.
13 Reception order in case of wandering and dangerous lunatics.
14 Order in case of lunatic cruelly treated or not under proper care and control.
15 Detention of alleged lunatic pending report by Medical Officer.

Further provisions as to reception orders and medical certificates.

16 Medical certificates.
17 Time and manner of medical examination of lunatics.

18 Authority for reception.
19 Copy of reception order to be sent to person in charge of asylum.

Detention of lunatics pending removal to an asylum.

20 Detention of lunatics pending removal to asylum.

Reception and detention of criminal lunatics.

21 Reception and detention of criminal lunatics.

Reception after inquisition.

22 Reception after inquisition.
23 Order for payment of cost of maintenance of lunatic.

Amendment of order or certificate.

24 Amendment of order or certificate.

CHAPTER III.

Care and Treatment.

Visitors.

25 Appointment of visitors.
26 Monthly inspection by visitors.
27 Inspection of criminal lunatics by District Magistrate or visitors.

Discharge of lunatics.

28 Order of discharge from asylum by visitors.
29 Discharge of lunatics in other cases.
20 Order of discharge on undertaking of relative for due care of the lunatic.
31 Discharge of person subsequently found on inquisition not to be of unsound mind.

Removal of lunatics.

32 Removal of lunatics and of criminal lunatics.

Escape and recapture.

33 Order to justify detention and recapture after escape.

CHAPTER IV.

Proceedings in Lunacy.

Inquisition.

34 Power of District Court to institute inquisition as to persons alleged to be lunatic.
35 Application by whom to be made.
36 Notice of time and place of inquisition.
37 Power of Court in respect of attendance and examination of lunatics.

38 Rules respecting attendance and examination of females alleged to be lunatic.
39 Inquisition by District Court and finding thereon.
40 Inquisition by subordinate court on commission issued by District Court and proceedings thereon.

Judicial powers over person and estate of lunatic.

41 Custody of lunatics and management of their estate.
42 Power to direct Division Peishkar to take charge of person and estate of lunatic in certain cases.
43 Control over proceedings of Division Peishkar.
44 Power of District Court to appoint guardian and manager and take security from manager.
45 Power to apply property for lunatic's maintenance without appointing manager in certain cases.
46 Power to apply property for lunatic's maintenance in case of temporary lunacy.
47 Restriction on appointment of legal heir of lunatic to be guardian of his person.
48 Remuneration of managers and guardians.
49 Duties of guardian.
50 Powers of manager.
51 Manager to furnish inventory and annual accounts.
52 Proceeding if accuracy of inventory or accounts in impugned.
53 Payment into public treasury and investment of proceeds of estate.
54 Relative may sue for an account.
55 Removal of managers and guardians.
56 Penalty on manager for refusing to deliver accounts or property.
57 Proceedings in lunacy to cease or to be set aside if court finds that the unsoundness of mind has ceased.
58 Appeals.

PART III.

MISCELLANEOUS.

CHAPTER V.

Expenses of lunatics.

59 Application of property in the possession of a lunatic found wandering.
60 Application to civil court for order for the payment of cost of maintenance out of the lunatic's estate or by person bound to maintain him.
61 Order of court and enforcement thereof.
62 Saving of liability of relations to maintain lunatic.

CHAPTER VI.

Rules.

63 Power of Government to make rules.
64 Publication of rules.

CHAPTER VII.

Supplemental provisions.

65 Penalty for improper reception or detention of lunatic.
66 Provision as to bonds.
67 Pension of lunatic payable by Government.
68 Use of forms in Schedule.
69 Protection to persons acting under Regulation.
70 Power to give effect to warrants and orders of certain courts outside Travancore.
71 Power to make rules for reception of lunatics received from outside Travancore.
72 Repeal and orders under repealed enactment.

A BILL TO CONSOLIDATE AND AMEND THE LAW RELATING TO LUNACY.

Whereas it is expedient to consolidate and amend the law relating to lunacy. It is hereby enacted as follows :—

PART I.

PRELIMINARY

CHAPTER I.

Short title extent and commencement

1. (1) This Regulation may be called the Travancore Lunacy Regulation, 110 .

(2) It extends to the whole of Travancore, and

(3) It shall come into force on—

Definitions

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(1) "asylum" means an asylum or mental hospital for lunatics established, or declared to be such, by Our Government ;

(2) "cost of maintenance" in an asylum includes the cost of lodging maintenance, clothing, medicine and care of a lunatic and any expenditure incurred in removing such lunatic to and from an asylum together with any other charges prescribed by Our Government ;

(3) "District Court" means the principal civil court of original justisdiction ;

(4) "Criminal lunatic" means any persen for whose confinement in or removal to, an asylum, jail or other place of safe custody an order has been made in accordance with the provisions of Section 347 or Section 352 of the Code of Criminal Procedure, or of any rule relating to lunatics passed by Our Government under the Prison Regulation of 1071 ;

(5) "Lunatic" means an idiot or person of unsound mind ;

(6) "Magistrate" means a District Magistrate or a Magistrate of the first class specially empowered by Our Government to perform the functions of a Magistrate under this Regulation :

(7) "medical officer" means a Gazetted medical officer of Our Government, and includes a medical practitioner declared by general or special order of Our Government to be a medical officer for the purposes of this Regulation ;

(8) "medical practitioner" means a holder of the degree of Doctor, Bachelor or Licentiate of Medicine and Surgery of any of the British or Indian University or any person declared by general or special order of Our Government to be a medical practitioner for the purposes of this Regulation ;

(9) "prescribed" means prescribed by this Regulation or by rules made thereunder;

(10) "reception order" means an order made under the provisions of this Regulation for the reception into an asylum of a lunatic other than a lunatic so found by inquisition;

(11) "relative" includes any person related by blood, marriage or adoption; and

(12) "rule" means a rule made under this Regulation.

PART II.

RECEPTION, CARE AND TREATMENT OF LUNATICS.

CHAPTER II.

Reception of Lunatics.

Reception of persons in asylum.

3. (1) No person other than a criminal lunatic or a lunatic so found by inquistion shall be received or detained in an asylum without a reception order save as provided by Sections 7, 15, and 17;

Provided that the person in charge of an asylum may, with the consent of two of the visitors of such asylum, which consent shall not be given except upon a written application from the intending boarder receive and lodge as boarder in such asylum any person who is desirous of submitting himself to treatment.

(2) A boarder received in an asylum under the proviso to sub-section (1) shall not be detained in the asylum for more than twenty-four hours after he has given to the person in charge of the asylum notice in writing of his desire to leave such asylum.

Reception orders on petition.

Application for reception order.

4. (1) An application for a reception order shall be made by petition accompanied by a statement of prescribed particulars to the Magistrate within the local limits of whose jurisdiction the alleged lunatic ordinarily resides, shall be in the form prescribed and shall be supported by two medical certificates on separate sheets of paper, one of which certificates shall be from a medical officer.

(2) If either of the medical certificates is signed by any relative, partner or assistant of the lunatic or of the petitioner, the petition shall state the fact, and, where the person signing is a relative, the exact manner in which he is related to the lunatic or petitioner.

(3) The petition shall also state whether any previous application has been presented for an inquiry into the mental capacity of the alleged lunatic in any court, and if such application has been made, a certified copy of the order made thereon shall be attached to the petition.

5. (1) Subject to the provisions of sub-section (3), the petition shall be presented by the husband or wife of the alleged lunatic, or, if there is no husband or wife or the husband or wife is prevented by reason of insantiy, absence from Travancore or otherwise from making the presentation, by the nearest relative of the alleged lunatic who is not so prevented.

Application by whom to be presented.

(2) If the petition is not presented by the husband or wife or, where there is no husband or wife, by the nearest relative of the alleged lunatic, the petition shall contain a statement of the reasons why it is not so presented, and of the connection of the petitioner with the alleged lunatic, and the circumstances under which he presents the petition.

(3) No person shall present a petition unless he has attained the age of majority and has within fourteen days before the presentation of the petition, personally seen the said lunatic.

(4) The petition shall be signed and verified by the petitioner, and the statement of prescribed particulars by the person making such statement.

6. (1) Upon the presentation of the petition, the Magistrate shall consider the allegations in the petition and the evidence of lunacy appearing by the medical certification.

Procedure upon petition for reception order.

(2) If he considers that there are grounds for proceeding further, he shall personally examine the alleged lunatic unless for reasons to be recorded in writing he thinks it unnecessary or inexpedient so to do.

(3) If he is satisfied that a reception order may properly be made forthwith, he may make the same accordingly.

(4) If he is not so satisfied, he shall fix a date (notice whereof shall be given to the petitioner and to any other person to whom in the opinion of the Magistrate notice should be given) for the consideration of the petition, and he may make such further or other inquiries of or concerning the alleged lunatic as he thinks fit.

7. Upon the presentation of the petition, the Magistrate may make such order as he thinks fit for the suitable custody of the alleged lunatic pending conclusion of the inquiry.

Detention of alleged lunatic pending inquiry.

8. The petition shall be considered in private in the presence of the petitioner, the alleged lunatic (unless the Magistrate in his discretion otherwise directs), any person appointed by the alleged lunatic to represent him and such other persons as the Magistrate thinks fit.

Consideration of petition.

9. (1) At the time appointed for the consideration of the petition, the Magistrate may either make a reception order or dismiss the petition, or may adjourn the same for further evidence or inquiry, and may make such

Order.

order as to the payment of the costs of the inquiry by the person upon whose application it was made, or out of the estate of the alleged lunatic if found to be of unsound mind, or otherwise as he thinks fit.

(2) If the petition is dismissed, the Magistrate shall record in writing his reasons for dismissing the same, and shall deliver or cause to be delivered to the petitioner a copy of such order.

Further provisions as to reception orders on petition.

10. No reception order shall be made under Section 6 or Section 9, save in the case of a lunatic who is dangerous and unfit to be at large, unless—

(*a*) the Magistrate is satisfied that the person in charge of an asylum is willing to receive the lunatic, and

(*b*) the petitioner or some other person engages in writing to the satisfaction of the Magistrate to pay the cost of maintenance of the lunatic.

Power to appoint substitute for the person upon whose application a reception order has been made.

11. (1) The Magistrate may, subject to the provisions of this Section by order in writing (here-in-after referred to as an order of substitution), transfer the duties and responsibilities under this Regulation of the person on whose petition reception order has been made to any other person who is willing to undertake the same, and such other person shall thereupon be deemed for the purpose of this Regulation to be the person on whose petition the reception order was made, and all reference in this Regulation to such last mentioned person shall be construed accordingly :

Provided that no such order of substitution shall release the person upon whose petition the reception order was made or if he is dead, his legal representative from any liability incurred before the order of substitution was made.

(2) Before making any order of substitution, the Magistrate shall send a notice to the person upon whom petition to the reception order was made, if he is alive, and to any relative of the lunatic to whom in the opinion of the Magistrate, notice should be given : the notice shall specify the name of the person in whose favour it is proposed to make such order and the date, which shall be not less than twenty days from the sending of the notice, upon which any objection to the making of the order will be considered.

(3) On such date or any subsequent date to which the proceedings may be adjourned, the Magistrate shall consider any objection made by any person to whom notice has been sent or by any other relative of the lunatic and shall receive any all such evidence as may be produced by or on behalf of any of such persons and such further evidence, if any, as the Magistrate thinks necessary and may thereafter make or refrain from making an order of substitution.

Provided that, if the person on whose petition the reception order was made is dead and any other person is willing and, in the opinion of the Magistrate fitted to undertake the duties and responsibilities under this Regulation of such first mentioned person, the Magistrate shall make such an order.

(4) If in proceedings under this Section any question arises as to the person to whom the duties and responsibilities under this Regulation of a person upon whose petition a reception order has been made shall be entrusted, the Magistrate shall give preference to the person who is the nearest relative of the lunatic, unless for reasons to be recorded in writing, the Magistrate considers that such preference would not be in the interests of the lunatic.

(5) The Magistrate may make such order for the payment of the costs of an enquiry under this Section by any person who is a party thereto or out of the estate of the lunatic, as he thinks fit.

(6) Any notice under sub-section (2) may be sent by Anchal or Post registered to the last known address of the person for whom it is intended.

Reception orders otherwise than on petition.

Powers and duties of Police in respect of wandering or dangerous lunatics and lunatics cruelly treated, or not under proper care and control.

12. (1) Every officer in charge of a Police station not below the rank of a Sub-Inspector may arrest or cause to be arrested all persons found wandering at large within the limits of his station whom he has reason to believe to be lunatics, and every officer in charge of a Police station shall arrest or cause to be arrested all persons found wandering at large within the limits of his station whom he has reason to believe to be dangerous by reason of lunacy. Any person so arrested shall be taken forthwith before the Magistrate.

(2) Every officer in charge of a Police station who has reason to believe that any person within the limits of his station is deemed to be a lunatic and is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the charge of him, shall immediately report the fact to the Magistrate.

Reception order in case of wandering and dangerous lunatics.

13. Whenever any person is brought before a Magistrate under the provisions of sub-section (1) of Section 12, the Magistrate shall examine such person, and if he thinks that there are grounds for proceeding further, shall cause him to be examined by a medical officer, and may make such other enquiries as he thinks fit; and if the Magistrate is satisfied that such person is a lunatic and a proper person to be detained, he may, if the medical officer who has examined such person gives a medical certificate with regard to such person, make a reception order for the detention of such lunatic in an asylum.

Provided that if any friend or relative of the lunatic enters into a bond with or without sureties for such sum of money as the Magistrate thinks fit, conditioned that such lunatic shall be properly taken care

of, and shall be prevented from doing injury to himself or to others, the Magistrate instead of making a reception order may if he thinks fit, make him over to the care of such friend or relative.

Order in case of lunatic cruelly treated or not under proper care and control.

14. (1) If it appears to the Magistrate, on the report of a Police officer or the information of any other person, that any person within the limits of his jurisdiction deemed to be a lunatic is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the charge of him, the Magistrate may cause the alleged lunatic to be produced before him and summon such relative or other person as has or ought to have the charge of him.

(2) If such relative or other person is legally bound to maintain the alleged lunatic, the Magistrate may make an order for such alleged lunatic being properly cared for and treated, and, if such relative or other person wilfully neglects to comply with the said order, the Magistrate may sentence him to imprisonment for a term which may extend to one month.

(3) If there is no person legally bound to maintain the alleged lunatic, or if the Magistrate thinks fit so to do, he may proceed as prescribed in Section 13, and upon being satisfied in manner aforesaid that the person deemed to be a lunatic is a lunatic and proper person to be detained under care and treatment may, if a medical officer gives a medical certificate with regard to such lunatic, make a reception order for the detention of such lunatic in an asylum.

Detention of alleged lunatic pending report by medical officer.

15. (1) When any person alleged to be a lunatic is brought before a Magistrate under the provisions of Section 12 or Section 14, the Magistrate may, by an order in writing, authorise the detention of the alleged lunatic in suitable custody for such time not exceeding ten days as may be, in his opinion, necessary to enable the medical officer to determine whether such alleged lunatic is a person in respect of whom a medical certificate may be properly given.

(2) The Magistrate may, from time to time, for the same purpose by order in writing, authorise such further detention of the alleged lunatic for periods not exceeding ten days at a time as he thinks necessary;

Provided that no person shall be detained in accordance with the provisions of this Section for a total period exceeding thirty days from the date on which he was first brought before the Magistrate.

Further provisions as to reception orders and medical certificates.

Medical certificates.

16. (1) Every medical certificate under this Regulation shall be made and signed by a medical practitioner or medical officer, as the case may be, and shall be in the form prescribed.

(2) Every medical certificate shall state the facts upon which the person certifying has formed his opinion that the alleged lunatic is a lunatic, distinguishing facts observed by himself from facts communicated by others; and no reception order on petition shall be made upon a certificate founded only upon facts communicated by others.

(3) Every medical certificate made under this Regulation shall be evidence of the facts therein appearing and of the judgment therein stated to have been formed by the person certifying on such facts, as if the matters therein appearing had been verified on oath.

Time and manne of medical examination of lunatics.

17. (1) A reception order required to be founded on a medical certificate shall not be made unless the person who signs the medical certificate or where two certificates are required, each person who signs a certificate, has personally examined the alleged lunatic, in the case of an order upon petition, not more than seven clear days before the date of the presentation of the petition and, in all other cases, not more than seven clear days before the date of the order.

(2) Where two medical certificates are required, a reception order shall not be made unless each person signing a certificate has examined the alleged lunatic separately from the other.

Authority for reception.

18. A reception order, if the same appears to be in conformity with this Regulation shall be sufficient authority for the petitioner or any reason authorised by him, or in the case of an order not made upon petition, for the person authorised so to do by the person making the order, to take the lunatic and convey him to the place mentioned in such order and for his reception and detention therein or in any asylum to which he may be removed in accordance with the provisions of this Regulation or of rules made thereunder, and the order may be acted on without further evidence of the signature or of the jurisdiction of the person making the order;

Provided that no reception order shall continue to have effect,—

(*a*) after the expiry of thirty days from the date on which it was made unless the lunatic has been admitted into the asylum mentioned therein within that period, or

(*b*) after the discharge, under the provisions of this Regulation, of the lunatic from such asylum or from any other asylum to which he may have been removed.

Copy of reception order to be sent to person in charge of asylum.

19. Any Magistrate making a reception order under this Part shall forthwith send a certified copy of the order to the person in charge of the asylum in which such lunatic is to be detained.

Detention of lunatics pending removal to an asylum.

20. When any reception order has been made under Sections 6, 9, 13 or 14, the Magistrate may, for reasons to be recorded in writing, direct that the lunatic, pending his removal to an asylum, be detained in suitable custody in such place, as the Magistrate thinks fit.

Detention of lunatics pending removal to asylum.

Reception and detention of criminal lunatics.

21. An order under Section 347 or Section 352 of the Code of Criminal Procedure, or under any rule relating to the lunatics passed by Our Government under the Prisons Regulation of 1071 directing the reception of a criminal lunatic into an asylum shall be sufficient authority for the reception and detention of any person named therein in such asylum or to any other asylum to which he may be lawfully transferred.

Reception and detention of criminal lunatics.

Reception after inquisition.

22. A lunatic so found by inquisition may be admitted and detained in an asylum on an order made by the District Court.

Reception after inquisition.

23. (1) When any lunatic has been admitted into an asylum in accordance with the provisions of Section 22, the District Court shall, on the application of the person in charge of such asylum, make an order for the payment of the cost of maintenance of the lunatic in the asylum, and may from time to time, direct that any sum of money payable under such order shall be recovered from the estate of the lunatic or of any person legally bound to maintain him :

Order for payment of cost of maintenance of lunatic.

Provided that if at any time it shall appear to the satisfaction of the Court that the lunatic has not sufficient property, and that no person legally bound to maintain such lunatic has sufficient means for the payment of such cost, the Court shall certify the same instead of making such order for the payment of the cost as aforesaid.

(2) An order under sub-section (1) shall be enforced in the same manner and shall be of the same force and effect and subject to the same appeal as a decree made by the Court in a suit in respect of the property of person therein mentioned.

Amendment of order or certificate.

24. If after the reception of any lunatic into an asylum on a reception order, it appears that the order upon which he was received or the medical certificate or certificates upon which such order was made is or are defective or incorrect, the same may at any time afterwards be amended by the person or persons signing the same with the sanction of two or more of the visitors of the asylum, one of whom shall be a medical officer.

Amendment of order or certificate.

CHAPTER III.

CARE AND TREATMENT.

Visitors.

Appointment of visitors.

25. (1) Our Government shall appoint for every asylum not less than three visitors, one of whom at least shall be a medical officer.

(2) The District Magistrate of the place where an asylum is situated shall be a visitor *ex officio* of the asylum.

Monthly inspection by visitors.

26. Two or more of the visitors one of whom shall be a medical officer, shall, once at least in every month together inspect every part of the asylum of which they are visitors and see and examine, as far as circumstances will permit every lunatic and boarder therein and the order and certificate for the detention of every lunatic admitted since the last visitation of the visitors and shall enter in a book to be kept for that purpose any remarks which they may deem proper in regard to the management and condition of the asylum and the inmates thereof.

Inspection of criminal lunatics by District Magistrate or visitors.

27. (1) When any person is confined under the provisions of Section 347 or Section 352 of the Code of Criminal Procedure, the District Magistrate if such person is confined in a jail or the visitors of the asylum or any two of them, if he is confined in an asylum, may visit him in order to ascertain his state of mind; and he shall be visited once at least in every six months by the District Magistrate or by two of such visitors as aforesaid; and such District Magistrate or visitors shall make a special report as to the state of mind of such person to the authority under whose order he is confined.

(2) Our Government may empower the officer in charge of the jail in which such person may be confined to discharge all or any of the functions of the District Magistrate under sub-section (1).

Discharge of lunatics.

Order of discharge from asylum by visitors.

28. (1) Three of the visitors of an asylum, of whom one shall be a medical officer, may, by order in writing, direct the discharge of any person detained in the asylum, and such person shall thereupon be discharged;

Provided that no order under this sub-section shall be made in the case of a criminal lunatic.

(2) When such order is made, if the person is detained under the order of any public authority, notice of the order of discharge shall be immediately communicated to such authority.

Discharge of lunatics in other cases.

29. A lunatic detained in an asylum under a reception order, made on petition shall be discharged if the person on whose petition the reception order was made so applies in writing to the person in charge of the asylum:

Provided that no lunatic shall be so discharged if the officer in charge of the asylum certifies in writing that the lunatic is dangerous and unfit to be at large.

30. When any relative or friend of a lunatic detained in an asylum under the provisions of Section 13 or Section 14 is desirous that such lunatic shall be delivered over to his care and custody, he may make an application to the authority under whose order the lunatic is detained, and such authority, if it thinks fit, in consultation with the person in charge of the asylum and with the visitors or with one of them being a medical officer, and upon such relative or friend entering into a bond with or without sureties for such sum of money as the said authority thinks fit, conditioned that such lunatic shall be properly taken care of and shall be prevented from doing injury to himself or to others, may make an order for the discharge of such lunatic, and such lunatic shall thereupon be discharged.

Order of discharge on undertaking of relative for due care of the lunatic.

31. If any lunatic detained in an asylum on a reception order made under Section 6, 9, 13 or 14 is subsequently found on an inquisition under Chapter IV not to be of unsound mind and incapable of managing himself and his affairs, the person in charge of the asylum shall forthwith, on the production of a certified copy of such finding, discharge the alleged lunatic from the asylum.

Discharge of person subsequently found on inquisition not to be of unsound mind.

Removal of lunatics.

32. (1) Any lunatic may, in accordance with any general or special order of Our Government, be removed from any asylum to any other asylum.

Removal of lunatics and of criminal lunatics.

Provided that no lunatic admitted into an asylum on a reception order made on petition shall be so removed until notice of such intended removal has been given to the petitioner.

(2) Our Government may make such general or special order as they think fit directing the removal of any person for whose confinement an order has been made under Section 347 or Section 352 of the Code of Criminal Procedure from the place where he is for the time being confined to any asylum, jail or other place of safe custody.

Escape and recapture.

33. Every person received into an asylum by any order under the provisions of this Regulation may be detained therein until he is removed or discharged as authorised by law, and in case of escape may, by virtue of such order, be retaken by any Police officer or by the person in charge of such asylum or any officer or servant belonging thereto, or any other person authorised in that behalf by the said person in charge, and conveyed to and received and detained in such asylum.

Order to justify detention and recapture after escape.

Provided that in the case of a lunatic not being a criminal lunatic the power to retake such escaped lunatic under this Section shall be exercisable only for a period of one month from the date of his escape.

CHAPTER IV.

PROCEEDINGS IN LUNACY.

Inquisition.

Power of District Court to institute inquisition as to persons alleged to be lunatic.

34. Whenever any person is possessed of property and is alleged to be a lunatic, the District Court within whose jurisdiction such person in residing may, upon application, by order direct an inquisition for the purpose of ascertaining whether such person is of unsound mind and incapable of managing himself and his affairs.

Application by whom to be made.

35. Application for such inquisition may be made by any relative of the alleged lunatic or by the Government pleader as defined in the Code of Civil Procedure, 1100, or if the property of the alleged lunatic consists in whole or in part of land or any interest in land, by the Division Peishkar of the place in which any portion of the land is situate

Notice of time and place of inquisition.

36. (1) Notice shall be given to the alleged lunatic of the time and place at which it is proposed to hold the inquisition.

(2) If it appears that personal service on the alleged lunatic would be ineffectual, the Court may direct such substituted service of the notice as it thinks fit.

(3) The Court may also direct a copy of such notice to be served upon any relative of the alleged lunatic and upon any other person to whom in the opinion of the Court notice of the application should be given.

Powers of Court in respect of attendance and examination of lunatics.

37. (1) The Court may require the alleged lunatic to attend at such convenient time and place as it may appoint for the purpose of being personally examined by the Court or by any person from whom the Court may desire to have a report of the mental capacity and condition of such alleged lunatic.

(2) The Court may likewise make an order authorising any person or persons therein named to have access to the alleged lunatic for the purpose of a personal examination.

Rules respecting attendance and examination of females alleged to be lunatic.

38. The attendance and examination of the alleged lunatic under the provisions of Section 37 shall, if the alleged lunatic be a woman who according to the manners and customs of the country, ought not to be compelled to appear in public, be regulated by the law and practice for the examination of such persons in other civil cases.

39. (1) The District Court, if it thinks fit, may appoint two or more persons to act as assessors to the Court in the said inquisition.

Inquisition by District Court and finding thereon.

(2) Upon the completion of the inquisition, the Court shall determine whether the alleged lunatic is of unsound mind and incapable of managing himself aud his affairs or may come to a special finding that such alleged lunatic is of unsound mind so as to be incapable of managing his affairs but that he is capable of managing himself and is not dangerous to himself or to others.

Inquisition by subordinate Court on Commission issued by District Court and proceedings thereon.

40. (1) If the alleged lunatic resides at a distance of more than fifty miles from the place where the District Court is held to which the application is made, the said court may issue a commission to any subordinate court to make the inquisition, and such subordinate court shall thereupon conduct the inquisition in the manner herein before provided in this Chapter.

(2) On the completion of the inquisition, the subordinate court shall transmit the record of its proceedings with the opinions of the assessors, if assessors have been appointed, and its own opinion on the case ; and the District Court shall thereupon proceed to dispose of the application in the manner provided in Section 39, sub-section (2) ;

Provided that the District Court may direct the subordinate court to make such further or other inquiries as it thinks fit before disposing of the application.

Judicial powers over persons and estate of lunatic.

Custody of lunatics and management of their estates.

41. (1) The Court may make orders for the custody of lunatics so found by inquisition and the management of their estates.

(2) When upon the inquisition it is specially found that the person to whom the inquisition relates is of unsound mind so as to be incapable of managing his affairs, but that he is capable of managing himself and is not dangerous to himself or to others, the Court may make such orders as it thinks fit for the management of the estate of the lunatic including proper provisions for the maintenance of the lunatic and of such members of his family as are dependent on him for maintenance but it shall not be necessary to make any order as to the custody of the person of the lunatic.

Power to direct Division Peishkar to take charge of person and estate of lunatic in certain cases.

42. (1) If the estate of a lunatic so found consists in whole or in part of land or any interest in land, the District Court may direct the Division Peishkar of the place to take charge of the person and estate of the lunatic :

Provided that no such order shall be made without the consent of the Division Peishkar previously obtained.

(2) The Division Peishkar shall thereupon appoint a manager of the estate, and may appoint a guardian of the person of the lunatic.

Control over proceedings of Division Peishkar.

43. All proceedings of the Division Peishkar in regard to the person or estate of a lunatic under this Chapter shall be subject to the control of Our Government or of such authority as they may appoint in this behalf.

Power of District Court to appoint guardian and Manager and take security from manager.

44. (1) In all other cases the District Court shall appoint a manager of the estate of the lunatic and may appoint a guardian of his person.

Provided that the District Court may instead of appointing a manager of the estate of a lunatic, proceed under Sections 45 and 46.

(2) Any person who has been appointed by the District Court or the Division Peishkar to manage the estate of a lunatic shall, if so required, enter into a bond in such form and with such sureties as to the Court or to the Division Peishkar, as the case may be, may seem fit, engaging duly to account for what he may receive in respect of the property of the lunatic.

Power to apply property for lunatics maintenance without appointing manager in certain cases.

45. (1) If it appears to the District Court having regard to the situation and condition in life of the lunatic and his family and the other circumstances of the case to be expedient that his property should be made available for his or their maintenance in a direct and inexpensive manner it may, instead of appointing a manager of the estate, order that the property, if money, or if of any other description the produce thereof when realised be paid to such person as the Court may think fit to be applied for the purpose aforesaid.

(2) The receipt of the person so appointed shall be a valid discharge to any person who pays any money or delivers any property of the lunatic to such persons.

Power to apply property for lunatics' maintenance in case of temporary lunacy.

46. If it appears to the District Court that the unsoundness of mind of a lunatic is in its nature temporary, and that it is expedient to make temporary provision for his maintenance or for the maintenance of such members of his family as are dependent on him for their maintenance, the Court may, in like manner as under Section 45, direct his property or a sufficient part of it to be applied for the purpose aforesaid.

Restriction on appointment of legal heir of lunatic to be guardian of his person.

47. The legal heirs of a lunatic shall not be appointed to be the guardian of the person of such lunatic unless the District Court or the Division Peishkar, as the case may be, for reasons to be recorded in writing, considers that such an appointment is for the benefit of the lunatic.

48. A guardian of the person of a lunatic or a manager of his estate appointed under this Chapter shall be paid such allowance, if any, as the District Court or the Division Peishkar, as the case may be, thinks fit for his care and pains in the execution of his duties.

Remuneration of managers and guardians.

49. (1) The person appointed to be guardian of a lunatic's person shall have the care of his person and maintenance.

Duties of guardian.

(2) When a distinct guardian is appointed, the manager shall pay to the guardian such allowance as may be fixed by the District Court or the Division Peishkar, as the case may be, for the maintenance of the lunatic and such members of his family as are dependent on him for their maintenance.

50. (1) Every manager of the estate of a lunatic appointed as aforesaid may exercise the same powers in the management of the estate as might have been exercised by the proprietor if not a lunatic and may collect and pay all just claims, debts and liabilities due to or by the estate of the lunatic:

Powers of manager.

Provided that no manager so appointed shall without the permission of the District Court—

(*a*) mortgage, charge, or transfer by sale, gift, exchange, or otherwise any immoveable property of the lunatic or

(*b*) lease any such property for a term exceeding five years.

Such permission may be granted subject to any condition or restriction which the Court thinks fit to impose.

(2) Before granting any such permission, the Court may cause notice of the application for such permission to be served on any relative or friend of the lunatic, and may make or cause to be made such inquiries as to the Court may seem necessary in the interest of the lunatic.

51. (1) Every person appointed by the District Court or by the Division Peishkar to be manager of the estate of a lunatic shall, within six months from the date of his appointment deliver in Court or to the Division Peishkar, as the case may be, an inventory of the immoveable property belonging to the lunatic and of all such money, or other moveable property, as he may receive on account of the estate together with a statement of all debts due by or to the same.

Manager to furnish inventory and annual accounts.

(2) Every such manager shall also furnish to the Court or to the Division Peishkar, as the case may be, annually within three months of the close of the year an account of the property in his charge, exhibiting the sums received and disbursed on account of the estate and the balance remaining in his hands.

52. If any relative of the lunatic, or the Division Peishkar by petition to the District Court impugns the accuracy of the said inventory and statement, or of any annual account, the Court may summon the manager and inquire summarily into the matter and make such order thereon as it thinks fit; or the Court at its

Proceedings if accuracy of inventory or accounts is impugned.

discretion, may refer any such petition to any subordinate Court or to the Division Peishkar, if the manager was appointed by the Division Peishkar.

Payment into Public treasury and investment of proceeds of estates.

53. All sums received by a manager on account of any estate in excess of what may be required for the current expenses of the lunatic or of the estate, shall be paid into such Government treasury as may be specified by the Court or the Division Peishkar as the case may be on account of the estate and shall be invested from time to time in any of the securities that may be authorised for this purpose by Our Government unless the Court or Division Peishkar, as the case may be, for reasons to be recorded in writing directs that such sums be in the interests of the lunatic otherwise invested or applied.

Relative may sue for an account.

54. Any relative of a lunatic may with the leave of the District Court sue for an account from any manager appointed under this Chapter, or from any such person after his removal from office or from his legal representative in case of his death, in respect of any estate then or formerly under his care or management or any sums of money or other property received by him on account of such estate.

Removal of managers and guardians.

55. (1) The District Court, for any sufficient cause, may remove any manager appointed by it and may appoint any other fit person in his place, and may compel the person so removed to make over the property in his hands to his successor, and to account to such successor for all money received or disbursed by him.

(2) The Court may also, for any sufficient cause, remove any guardian of the lunatic appointed by it, and may appoint any other fit person in his place.

(3) The Division Peishkar, for any sufficient cause, may remove any manager of the estate of a lunatic or guardian of the person of a lunatic appointed by him, and may appoint any other fit person in place of such manager or guardian; and the District Court, on the application of the Division Peishkar, may compel any manager removed under this Section to make over the property and all accounts in his hands to his successor and to account to such successor for all money received or disbursed by him.

Penalty on manager for refusing to deliver accounts or property.

56. The District Court may impose a fine not exceeding five hundred rupees on any manager of the estate of a lunatic who wilfully neglects or refuses to deliver his accounts or any property in his hands within the time fixed by the Court and may realise such fine as if it were a sum due under a decree of the Court and may also commit the recusant to the civil jail until he delivers such accounts or property.

57. (1) When any person has been found under this Chapter to be of unsound mind, and it is subsequently shown to the District Court that there is reason to believe that such unsoundness of mind has ceased, such Court may make an order for inquiring whether such person is still of unsound mind and incapable of managing himself and his affairs.

Proceedings in Lunacy to cease or to be set aside if Court finds that the unsoundness of mind has ceased.

(2) The inquiry shall, as far as may be, be conducted in the same manner as is prescribed in this Chapter for an inquisition into the unsoundness of mind of an alleged lunatic, and if it is found that the unsoundness of mind has ceased, the Court shall order all proceedings in the lunacy to cease or to be set aside on such terms and conditions as to the Court may seem fit.

Appeal.

58. An appeal shall lie to the High Court from any order made by a District Court under this Chapter.

PART III.

MISCELLANEOUS.

CHAPTER V.

Expenses of Lunatics.

59. Any money in the possession of a lunatic found wandering at large may be applied by the Magistrate towards the payment of the cost of maintenance of the lunatic or of any other expenses incurred on his behalf, and any moveable property found on the person of the lunatic may be sold by the Magistrate, and the proceeds thereof similarly applied.

Application of property in the possession of a lunatic found wandering.

60. If a lunatic detained in an asylum on a reception order made under Section 13 or Section 14 has an estate applicable to his maintenance, or if any person legally bound to maintain such lunatic has the means to maintain him, the authority which made the reception order may apply to the District Court within the local limits of which the estate of the lunatic or any part of it is situate or the person legally bound to maintain him resides, for an order for the payment of the cost of maintenance of the lunatic.

Application to civil court for order for the payment of cost of maintenance out of the lunatic's estate, or by persons bound to maintain him.

61. (1) The Court shall inquire into the matter in a summary way and on being satisfied that such lunatic has an estate applicable to his maintenance, or that any person is legally bound to maintain and has the means of maintaining such lunatic, may make an order for the recovery of the cost of maintenance of such lunatic, together with the cost of the application out of such estate or from such person,

Order of Court and enforcement thereof.

(2) Such order shall be enforced in the same manner, and shall be of the same force and effect and subject to the same appeal, as a decree made by the said Court in a suit in respect of the property or person therein mentioned.

Saving of liability of relatives to maintain lunatic.

62. The liability of any relative or person to maintain any lunatic shall not be taken away or affected by any provision contained in this Regulation.

CHAPTER VI.

Rules.

Power of Government to make rules.

63. (1) Our Government may make rules for all or any of the following purposes, namely :—

(a) to prescribe forms for any proceedings under this Regulation.

(b) to prescribe places of detention and regulate the care and treatment of person detained and removal of persons detained from one asylum to another ;

(c) to relate the confinement, care, treatment and discharge of criminal lunatics ;

(d) to regulate the management of asylums and the care and custody of the inmates thereof ;

(e) to prescribe the procedure to be followed by District Courts and Magistrates before a lunatic is sent to any asylum established by Our Government; and

(f) save as otherwise provided in this Regulation, generally to carry into effect the provisions of the Regulation.

(2) In making any rule under this Section, Our Governmedt may direct that a breach of it shall be punishable with fine which may extend to fifty rupees.

Publication of rules.

64. All rules made under Section 63 shall be published in Our Government Gazette and shall thereupon have effect as if enacted in this Regulation.

CHAPTER VII.

Supplemental provisions.

65. Any person who—

Penalty for improper reception or detention of lunatics.

(a) otherwise than in accordance with the provisions of this Regulation receives or detains a lunatic or alleged lunatic in an asylum, or

(b) for gain detains two or more lunatics in any place not being an asylum shall be punishable with imprisonment which may extend to two years or with fine or with both.

Provisions as to bonds

66. The provisions of Chapter XL of the Code of Criminal Procedure shall, so far as may be apply to bonds taken under this Regulation.

Pension of lunatic payable by Government.

67. (1) When any sum is payable in respect of pay, pension, gratuity or other similar allowance to any person by our Government and the person to whom the sum is payable is certified by a Magistrate to be a lunatic, the Government officer under whose authority such sum would be payable if the payee were not a lunatic may pay so much of the said sum as he thinks fit to the person having charge of the lunatic, and may pay the surplus, if any, or such part thereof as he thinks fit for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.

Use of forms in Schedule.

68. Subject to any rule the forms set forth in the schedule with such variation as the circumstances of each case may require, shall be used for the respective purposes therein mentioned, and if used, shall be sufficient.

Protection to persons acting under Regulation.

69. No suit, prosecution or other legal proceedings shall lie against any persons for anything which is in good faith done or intended to be done under this Regulation.

Power to give effect to warrants and orders of certain courts outside Travancore.

70. Any officer in charge of any asylum may give effect to any order or warrant for the reception and detention of any lunatic made or issued by any court or authority beyond the limits of Travancore notified by Our Government in this behalf in Our Government Gazette from time to time.

Power to make rules for reception of lunatics received from outside Travancore.

71. Our Government may make rules regarding the reception and detention in any asylum of lunatics whose reception and detention are provided for by Section 70.

Repeal and orders under repealed enactment.

72. The Travancore Lunacy Regulation (I of 1080) is hereby repealed. But all orders for the detention of lunatics made and all undertakings given thereunder shall have the same force and effect as if they had been made or given under this Regulation and by or to the authority empowered thereby in such behalf.

SCHEDULE

FORMS.

(*See Section 68.*)

FORM I.

APPLICATION FOR RECEPTION ORDER.

(*See Sections 4 and 5.*)

In the matter of A. B., residing at by occupation , son of , a person alleged to be a lunatic.

To District Magistrate of ,
(or the First Class Magistrate of).

The petition of C. D., residing at occupation , son of , in the town, etc., of in the taluk of ,

1. I am years of age.

2. I desire to obtain an order for the reception of A. B. as a lunatic in the asylum situate at

3. I last saw the said A, B., at on the day of

4. I am the of the said A. B., (or if the petitioner is not a relative of the patient state as follows :—)

I am not a relative of the said A. B. The reasons why this petition is not presented by a relative are as follows :—(State them).

The circumstances under which this petition is presented by me are as follows :—(State them).

5. The persons signing the medical certificates which accompany the petition are.

6. A statement of particulars relating to the said A. B. accompanies this petition.

7. (if that is the fact) An application for an enquiry into the mental capacity of the said A. B. was made to the on the and a certified copy of the order made on the said petition is annexed hereto. (Or if that is the fact).

No application for an enquiry into the mental capacity of the said A. B. has been made previous to this application.

The petitioner therefore prays that a reception order may be made in accordance with the foregoing statement.

(Sd.) C. D.

The statements contained or referred to in paragraph are true to my knowledge; the other statements are true to my information and belief.

Dated. (Sd.) C. D.

Statement of Particulars.

(if any of the particulars in this statement is not known, the fact to be so stated.)

The following is a statement of particulars relating to the said A. B.—

Name of patient at length.

Sex and age.

Married, single or widowed.

Previous occupation.

Caste and religious belief, as far as known.

Residence at or immediately previous to the date hereof.

Names of any near relatives to the patient who are alive.

Whether this is first attack of lunacy.

Age (if known) on first attack.

When and where previously under care and treatment as a lunatic.

Duration of existing attack.

Supposed cause.

Whether the patient is subject to epilepsy.

Whether suicidal

Whether the patient is known to be suffering from phthisis or any form of tubercular disease.

Whether dangerous to others, and in what way.

Whether any near relative (stating the (relationship) has been afflicted with insanity.

Whether the patient is addicted to alcohol, or the use of opium, ganja, charas, bhang, cocaine or other intoxicant,

(The statement contained or referred to in paragraph are true to my knowledge. The other statements are true to my information and belief.)

(Signature by person making the statement.

FORM 2.

Reception Order on Petition.

(See Sections 6 and 9.)

I the undersigned E. F., being the District Magistrate of (or the First Class Magistrate of) upon the petition of C. D., of in the matter of A. B. a lunatic, accompanied by the Medical certificates of G. H., a medical officer, and of J. K., a medical practitioner (or medical officer), under the Travancore Lunacy Regulation, hereto annexed, hereby authorise you to receive the said A. B. into your asylum. And I declare that I have (or have not) personally seen the said A. B. before making this order,

(Sd.) E. F.
(Designation as above.)

To

FORM 3.

MEDICAL CERTIFICATE.

(See Sections 16 and 17)

In the matter of A. B. of in the town, etc., of
in the Taluk of an alleged lunatic.

I the undersigned C. D., do hereby certify as follows :

1. I am a gazetted medical officer (or a medical practitioner declared
holder of (or declared by Government to be
by Government to be medical officer under the Travancore Lunacy Regul-
a medical practitioner under the Travancore Lunacy Regulation
tion and I am in the actual practice of the medical profession.

2. On the day of year at
. in the town / village of in the taluk of
(separately from any other practitioner), I personally examined the said A.B. and came to the conclusion that the said A. A. is a lunatic and a proper person to be taken charge of and detained under care and treatment.

3. I formed this conclusion on the following grounds, viz.—

(a) Facts indicating insanity observed by myself, viz :—

(b) Other facts (if any) indicating insanity communicated to me by others, viz : –

Here state the information and from whom.

(Sd.) C. D.
(Designation as above)

FORM 4.

RECEPTION ORDER IN CASE OF WANDERING OR DANGEROUS LUNATICS OR LUNATICS NOT UNDER PROPER CONTROL OR CRUELLY TREATED (SENT TO AN ASYLUM ESTABLISHED BY GOVERNMEMT).

(See Sections 13 and 14.)

I, C. D., the District Magistrate of (or the First Class Magistrate of) having caused A. B. to be examined by E. F. a medical officer under the Travancore Lunacy Regulation, and being satisfied that A. B. (describing him) is a lunatic who was wandering at large (or is a person dangerous by reason of lunacy) (for is a lunatic not under proper

care and control or is cruelly treated or neglected by the person having the care or charge of him) and a proper person to be taken charge of and detained under care and treatment, hereby direct you to receive the said A. B into your asylum.

(Sd.) C. D.
(Designation as above.)

Dated the

To the Officer in charge of the asylum at

FORM 5.

SAME WHEN SENT TO AN ASYLUM NOT BEING AN ASYLUM ESTABLISHED BY GOVERNMENT.

I, C. D. (as above down to "care and treatment") and being satisfied with the engagement entered into in writing by G. H. of (here insert address and description) who has desired that, the said A. B. may be sent to the asylum at (here insert description of asylum and name of the person in charge) to pay the cost of maintenance of the said A. B . in the said asylum hereby authorise you to receive the said A. B. into your asylum.

(Sd.) C. D.
(Designation as above.)

Dated the

To the person in charge of the asylum at

FORM 6.

BOND ON THE MAKING OVER OF A LUNATIC TO THE CARE OF A RELATIVE OR FRIEND.

(*See Sections 13 and 14.*)

Whereas A. B., son of , inhabitant of has been brought up before C. D., the District Magistrate of or the First Class Magistrate of and is a lunatic who is believed to be dangerous (or deemed to be a lunatic who is not under proper care and control or is cruelly treated or neglected by the person having the charge of him) and whereas I. E. F., son of , inhabitant of , have applied to the Magistrate that the said A. B., may be delivered to my care.

I, E. F., above-named hereby bind myself that on the said A. B., being made over to my care, I will have the said A. B. properly taken care of and prevented from doing injury to himself or to others and in case of my making default therein, I hereby bind myself to forfeit to the Government of His Highness the Maha Raja, the sum of rupees

Dated the day of year

(Sd.) E. F.

(Where a bond with sureties is to be executed add)--

We do hereby declare ourselves sureties for the above named E. F. that he will, on the aforesaid A. B. being made over to his care, have the said A. B. properly taken care of and prevented from doing injury to himself or to others: and in case of the said E. F. making default therein, we bind ourselves jointly and severally, to forfeit to the Government of His Highness the Maha Raja the sum of rupees

Dated the day of year

(Signature.)

FORM 7.

Bond on the discharge of a lunatic from an asylum on the undertaking of relative or friend to take due care.

(See Section 30.)

Whereas A. B., son of inhabitant of is a lunatic who is now detained in the asylum at under an order made by C. D., the District Magistrate for the town of or the First Class Magistrate of , under Section 13 or (Section 14) of the Travancore Lunacy Regulation, and whereas I, E. F., son of inhabitant of have applied to the said Magistrate, that the said A. B. may be delivered to my care and custody:

I hereby bind myself that on the said A. B. being made over to my care and custody, I will have him properly taken care of and prevented from doing injury to himself or to others and in case of my making default therein, I hereby bind myself to forfeit to the Government of His Highness the Maha Raja, the sum of rupees

Dated this day of year

(Sd.) E. F.

(Where a bond with sureties is to be executed add) – We do hereby declare ourselves sureties for the above-named E. F. that he will, on the aforesaid A. B. being delivered to his care and custody, have the said A. B. properly taken care of and prevented from doing injury to himself or to others: and in case of the said E. F. making default therein, we bind ourselves, jointly and severally, to forfeit to the Government of His Highness the Maha Raja the sum of rupees

Dated this day of year

(Signature).

Statement of Objects and Reasons.

The law relating to lunatics and their reception and detention in lunatic asylums contained in the Travancore Lunacy Regulation (I of 1080) has been found to be defective in some material respects. The summary procedure for the protection of lunatics is to lodge them in lunatic asylums under the orders of a Magistrate. This procedure is available, under the existing Regulation, only if the lunatic can be said to be a dangerous lunatic. There is provision in the Criminal Procedure Code, Chapter XXXIII, tending to the protection of criminal lunatics. There are, however, other classes of lunatics, *e. g.*, those who wander about the streets or are poor and uncared for or cruelly treated, in respect of whom no provision is now made. Government feel that they also stand in need of protection, obtained in a summary and expeditious way. In regard to the care of the person and the management of the estates of lunatics by taking proceedings through the District Court, there is some provision in the existing Regulation, but they are not perhaps ample. In British India, the law now in force is the Indian Lunacy Act 1912 (IV of 1912 with subsequent amendments). It is considered that a law on the lines of that Act will be beneficial to Travancore also. The Bill has accordingly been prepared on the lines of the British Indian Act.

Appendix VI.

A BILL TO AMEND THE TRAVANCORE COMPANIES REGULATION, 1092 (I OF 1092.)

Preamble.

Whereas it is expedient to amend the Travancore Companies Regulation, 1092 (I of 1092) for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Regulation may be called the Travancore Companies Amendment Regulation, 110 .

(2) It shall come into force at once.

2. In the Travancore Companies Regulation, 1092 (I of 1092) hereinafter referred to as the said Regulation, before Section 142 and under the heading "Inspection and audit", the following Section shall be inserted namely:—

Inspection and audit by Registrar.

"141 A. (1) The books, accounts and documents of a Company, not being a private Company, shall at all times, subject to such rules, if any, as may be prescribed, be open to inspection and audit, at the office of the Company by the Registrar or by any person authorised by him in writing in that behalf, and it shall be the duty of all officers of the Company to produce to the Registrar or to the person authorised as aforesaid all books, accounts and documents in their custody or power relating to the Company and to answer all questions relating to such books, accounts and documents.

(2) If any person refuses to produce any book, account or document or to answer any question as required by Sub-Section (1) he shall be liable to a fine not exceeding fifty rupees in respect of each offence.

(3) The Registrar may report to Our Government from time to time, as may be prescribed by Our Government, the result of such inspection or audit."

3. In the said Regulation, for Section 142, the following shall be substituted, namely:—

Investigation of affairs of Company by Inspectors or Registrar.

"142 (1) Our Government may whenever they deem fit to do so, appoint one or more competent Inspectors to investigate into the affairs of any Company and report thereon in such manner as Our Government may direct.

(2) Without prejudice to the generality of the foregoing power Our Government may appoint one or more competent Inspectors to investigate into the affairs of any Company and report thereon in such manner as Our Government may direct—

(i) in the case of a Banking Company having a share capital, on the application of members holding not less than one-fifth of the shares issued;

(ii) in the case of any other Company having a share capital, on the application of members holding not less than one-tenth of the shares issued;

(iii) in the case of a Company not having a share capital, on the application of not less than one-fifth in number of the persons on the Company's register of numbers;

(iv) in the case of any Company, on the report of the Registrar under Section 141, Sub-Section (5) or Section 141 A, Sub-Section 3 or on the report of any auditor under Section 150 A.

Explanation.—The Registrar may be appointed as an Inspector under this Section."

4. In the said Regulation, in Section 145, Sub-Section (1), the following sentence shall be added at the end;—

"Copy of the report may be granted also to any shareholder in accordance with such rules as may be made by Our Government."

5. In the said Regulation, after Section 150, the following Section shall be inserted, namely:—

Appointment of auditors by Government.

"150 A. (1) Our Government may appoint any officer of our Government or any person entitled under Section 148 to be appointed as an Auditor of Companies to audit the books and accounts of any Company either generally or for any special purpose, and the auditor so appointed shall have all the powers of an auditor under Section 149 (1). The auditor shall report to Our Government in such manner as as may be prescribed.

(2) Copy of the report may be granted to any shareholder in accordance with such rules as may be made by Our Government."

Statement of Objects and Reasons.

Under the provisions of the Travancore Companies Regulation, 1092, the Companies are not subject to inspection or audit by the Government or the Registrar. It is considered expedient that there should be some powers for such inspection and audit. This Bill has accordingly been prepared to enable the Registrar to inspect and audit the books and accounts of a Company and also to enable Government to appoint, of their own motion, any Inspector or Auditor of a Company.

Appendix VII.

THE TRAVANCORE MARKETS REGULATION AMENDMENT BILL.

Whereas it is expedient to amend the Travancore Markets Regulation of 1092 (VII of 1092) for the purpose hereinafter appearing; it is hereby enacted as follows :—

1. (1) This Regulation may be called the Travancore Markets (Amendment) Regulation, 110 .

(2) It shall come into force at once.

2. In the Travancore Markets Regulation of 1092 (VII of 1092) hereinafter referred to as the said Regulation, in Section 3, after clause (3), the following clause shall be added, namely —

" (4) 'Market' means any place ordinarily or periodically used for the sale of meat, fish, fruit, grain, vegetables or other perishable articles of food or for the sale of livestock or poultry or of any article or commodity necessary for the convenience of life :

Provided that a single shop or a group of shops not being more than six in number shall not be deemed a market.

Explanation :- A declaration by Our Government that any place used for the sale of any articles is a market shall be conclusive proof of the place being a market for the purposes of this Regulation :

Provided that no such declaration shall be made in respect of any single shop or of any group of shops not being more than six in number and that any such declaration may at any time be cancelled by our Government."

3. Section 4 of the said Regulation shall be deleted.

Statement of Objects and Reasons.

The Travancore Markets Regulation, as it stands, has no definition of the term "market." Further, Section 4 of the Regulation which enables Government to declare a place to be a market has been interpreted to mean that there can be no "markets" unless there be such a Government declaration relating thereto. These have given rise to practical difficulties in the working of the Regulation, it is proposed by this Bill, therefore, to enact a definition of the term "market and also to provide that a declaration by the Government that a place is a market shall be conclusive of the fact that the place is a market.

Appendix.

THE TRAVANCORE CIVIL COURTS' POWERS AMENDMENT BILL.

Whereas it is expedient to enhance the jurisdiction and powers of Courts of Civil Judicature in certain matters with a view to the expeditious disposal of suits; It is hereby enacted as follows ;—

Short title and commencement.

I. (*a*) This Regulation may be called the Travancore Civil Courts' Powers (Amendment) Regulation, 110......

(*b*) It shall come into force on...................

Amendment of Sections 12, 13, and 16, Civil Courts' Regulation 1084.

II. The Travancore Civil Courts' Regulation, 1084, shall be amended as mentioned hereinafter in the Section, namely:

(*a*) In Section 12, for the words "two thousand" the words "two thousand and five hundred" shall be substituted;

(*b*) In Section 13, for the words "one hundred" the words "two hundred" shall be substituted; and

(*c*) In Section 16, second paragraph, the following words shall be omitted, namely :—

> "except when the amount or value of the subject matter of the suit exceeds rupees one thousand, in which case the appeal shall lie to the High Court,"

Amendment of Sections 7 and 17, High Court Regulation, 1099.

III. The Travancore High Court Regulation of 1099 shall be amended as mentioned hereinafter in this Section, namely :—

(*a*) In Section 7 after Clause (4), the following Clause shall be inserted, namely :—

> (5) to hear and determine whether any second appeal preferred under the provisions of the Code of Civil Procedure, 1100 contravenes the provisions of Sections 80 and 80A thereof and if it does so contravene, either to dismiss the appeal or to pass any other order that is just and equitable in the circumstances of the case."

(*b*) In the Proviso to Section 7, after the word "application" the words "or second appeal" shall be inserted,

(c) In Section 17, the following shall be added at the end, namely :—

"or by such officer of the High Court, and in such manner, as the High Court may, by order, determine from time to time."

IV. The Code of Civil Procedure, 1100, shall be amended as mentioned hereinafter in this Section, namely ;—

Insertion of new Section 80 A in the Code of Civil Procedure 1100.

After Section 80, the following Section shall be inserted, namely .—

No second appeal in certain suits.

"80A. Notwithstanding anything contained in Section 79, no second appeal shall lie in any suit relating to a subject-matter of a small causes nature when the amount or value of the subject-matter of the original suit does dot exceed five hundred rupees.

Explanation :—"Suit relating to a subject-matter of a small causes nature" means any suit of a nature not specified in Schedule II to the Travancore Civil Courts' Regulation, 1084."

STATEMENT OF OBJECTS AND REASONS.

Amongst the proposals made by the Law's Delays Commissioner for facilitating the expeditious disposal of Civil Suits are the enhancement of the Ordinary and Small Cause jurisdictions of the Munsiffs' Courts and the Appellate jurisdiction of the District Courts as also a provision for a preliminary scrutiny of second appeals filed in the High Court. The High Court have agreed to these proposals generally and have recommended legislation for the following purpose, namely ;—

"(1) to raise the ordinary jurisdiction of the Munsiffs from Rs. 2,000 to Rs. 2,500;

(2) to raise the Small Cause jurisdiction of the Munsiffs from Rs, 100 to Rs. 200;

(3) to raise the appellate jurisdiction of the District Courts from Rs. 1,000 to Rs. 2,500, that is to say, to make the District Court the first appellate Court in respect of all suits decided by the Munsiffs.

(4) to invest the District Courts with an appellate "Small Cause" jurisdiction up to a limit of Rs. 500, that is to say, to make final the decisions of the District Courts passed in appeals against the decisions of Munsiffs in original suits (of a "small causes" nature of the value of Rs, 500 or less; and

(5) to provide for a preliminary hearing, by a single judge of the High Court, of all second appeals for the purpose of determing whether they are *prima facie* permissible in law, in other words, to institute an "Admission Court." for second appeals.

Occasion has been taken by the High Court also to suggest that provision may be made for the attestation by some officer of the High Court, say, the Registrar, of the Rules and Circular Orders issued by them which have now to be signed by not less than three judges. This Bill is designed to carry out the above recommendations of the High Court; and appropriate amendments are proposed in respect of the Civil Courts Regulation, the High Court Regulation and the Code of Civil Procedure. The amendments in respect of the Civil Courts Regulation would enhance the ordinary jurisdiction of the Munsiffs from Rs. 2,000 to Rs. 2,500 and the small cause jurisdiction of the Munsiffs from Rs. 100 to Rs. 200 and make the District Court the first appellate Court in respect of all the decisions of the Munsiffs. The amendment in respect of the High Court Regulation provides for a single Judge of the High Court sitting as an "Admission Court" in respect of second appeals, and would also enable the High Court to issue their Rules and Circular Orders with the signature of some Officer of the High Court. The amendment in respect of the Code of Civil Procedure provides for the appellate "Small Cause" jurisdiction of the District Courts, that is to say, the amendment would make the appellate decisions of the District Courts final in suits of the nature cognisable as small cause suits, provided the value of the subject-matter of the original suit does not exceed Rs. 500.

Annexure I.

R. O. C. No. 609 of 34/Legis.

The following Bill, together with the Statement of Objects and Reasons, is published as ordered by the Dewan under Rule 31 of the Travancore Legislative Rules, issued under date the 28th October 1932.

Huzur Cutcherry, Trivandrum, 8th May 1934. | N. KUNJAN PILLAI, *Chief Secretary to Government.*

A BILL TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF AN EXCISE DUTY ON MATCHES AND OTHER ARTICLES.

Preamble.

Whereas it is expedient to impose an excise duty on matches and other articles and to provide for the collection thereof: It is hereby enacted as follows:—

Short title and extent.

1. (1) This Regulation may be called the "Travancore (Matches and other articles) Excise Duty Regulation".

(2) It extends to the whole of Travancore.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context.—

(a) "manufactory" means any premises wherein matches are manufactured or which are declared by Our Government by notification in Our Government Gazette to be a manufactory for the purposes of this Regulation;

(b) "match" includes a firework in the form of a match; and, where a match-stick contains more heads than one capable of being ignited by striking, each such head shall be deemed to be a match;

(c) "owner" includes any person expressly or impliedly authorised by an owner of a manufactory to be his agent in respect of the manufactory:

(d) "splints" means undipped splints, such as are ordinarily used for making matches;

(e) "veneers" means veneers such as are ordinarily used for making match-boxes: and

(f) "prescribed" means prescribed by rules made by Our Government under this Regulation.

Imposition of duty on matches.

3. A duty of excise at the rates specified in Section 4 shall be levied on all matches manufactured in any manufactory in Travancore and issued out of such manufactory on or after the 1st day of April, 1934, and shall be payable by the owner of the manufactory.

4. The duty payable under Section 3 shall be levied at the following rates, namely :—

Rates of duty

(a) on matches in boxes or booklets containing on an average not more than eighty—

(i) if the average number is forty or less, at the rate of one British rupee per gross of boxes or booklets,

(ii) if the average number is more than forty, but not more than sixty, at the rate of one British rupee and eight annas per gross of boxes or booklets, and

(iii) if the average number is more than sixty, at the rate of two British rupees per gross of boxes or booklets ; and

(b) on all other matches, at such rate as Our Government may prescribe.

Recovery of duty with penalty

5. (1) If any duty payable under the provisions of this Regulation or any rules made thereunder is not paid within the time fixed by rules made in that behalf under this Regulation, it shall be deemed to be an arrear, and the authority to which such duty is payable may, in lieu thereof, recover any sum not exceeding four times the amount of duty unpaid which such authority may in its discretion think it reasonable to require.

(2) An arrear of duty, or any sum recoverable in lieu thereof under this Section, shall be recoverable as an arrear of land revenue and shall be recoverable in addition to, and not in substitution for, any other penalty incurred under this Regulation.

Issue of matches from manufactory.

6. No person shall issue any matches out of a manufactory, except in accordance with the provisions of rules made in that behalf under this Regulation or, until such rules are made, in accordance with the general or special orders of such authority as Our Government may appoint in that behalf.

Power of Government to prohibit import of matches.

7. Our Government may, by notification in Our Government Gazette, prohibit absolutely, or with such exceptions as they think fit, the bringing of matches or other articles into Travancore from the territory of any specified Prince or Chief in India.

Power of Government to direct use of banderols.

8. (1) Our Government may, by notification in Our Government Gazette, direct that after a date to be specified in the notification no matches manufactured after the date of the issue of the notification shall be issued from a manufactory in Travancore except in packets, boxes or booklets bearing a banderol or stamp of such nature and affixed in such manner as may be prescribed.

(2) Our Government may, by a like notification, direct that after a date to be specified in the notification, no matches shall be sold or offered or kept for sale in Travancore except in packets, boxes or booklets bearing such a banderol or stamp so affixed.

(3) Our Government may exempt from the operation of any notification made under sub-section (1) matches intended for export from Travancore.

(4) Our Government may exempt from the operation of any notification made under sub-section (2) matches of a particular kind or packed in a particular manner.

Prohibition of manufacture of matches and manufacture and import of splints and veneers.

9. From such date as may be fixed by Our Government by notification in Our Government Gazette in this behalf,

(a) no person shall manufacture matches or splints or veneers in Travancore except under and in accordance with a licence to manufacture issued under this Regulation;

(b) no person shall import splints or veneers into Travancore except under and in accordance with a licence to import; and

(c) no person shall supply splints or veneers to any person who does not possess a licence to manufacture matches issued under this Regulation, or otherwise than in such manner as may be prescribed.

Penalty for issue of matches from manufactory in contravention of Section 6.

10. Whoever contravenes the provisions of Section 6 shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalty for import of matches in contravention of Regulation.

11. (1) Whoever, in contravention of any notification made under Section 7, imports or attempts to import, matches or other articles into Travancore shall be punishable with imprisonment which may extend to six months, or with fine which may extend to four times the amount of the duty which would be payable on the matches or other articles, as the case may be, if they were liable to excise duty in Travancore or to one thousand rupees, whichever is greater, or with both imprisonment and fine.

(2) Whoever abets an offence punishable under sub-section (1) shall, whether such offence is or is not committed in consequence of such abetment, and notwithstanding anything contained in Section 106 of the Travancore Penal Code, be punishable with the punishment provided for the offence.

Penalty for issue or sale of matches without banderol.

12. (1) Whoever, in contravention of any direction made under sub-section (1) of Section 8, issues any matches from any manufactory shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater, or with both imprisonment and fine.

(2) Whoever, in contravention of any direction made under sub-section (2) of Section 8, sells or offers or keeps for sale any matches shall be punishable with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater.

Penalty for manufacture of matches and manufacture and import of splints and veneers without licence.

13. Whoever, in contravention of the provisions of Section 9, manufactures matches, splints or veneers or imports splints or veneers into Travancore or supplies splints or veneers to any person shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalty for evasion of duty or failure to supply information.

14. Whoever evades, or attempts to evade, the payment of any duty payable by him under this Regulation, or fails to supply any information which he is required under this Regulation or any rules made thereunder to supply, or knowingly supplies false information, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Power of courts to order forfeiture of matches, splints or veneers.

15. Any court trying an offence under this Regulation may order that any matches, splints or veneers together with the boxes, packing or wrappings thereof, or any other articles, in respect of which the court is satisfied that an offence under this Regulation has been committed shall be forfeited to Our Government.

Application of Regulation V of 1088 to the importation of matches, splints or veneers.

16. The law for the time being in force relating to Sea Customs and to goods, the importation of which is prohibited by Section 17 of the Travancore Sea Customs Regulation of 1088, shall apply in respect of matches splints or veneers, or other articles the importation of which is prohibited by or under this Regulation, and the officers of Customs and the officers empowered under the Travancore Sea Customs Regulation of 1088 to perform the duties imposed by that Regulation on a Customs Inspector and other officers of Customs shall have the same powers in respect of such matches, splints or veneers, or other articles, as they have for the time being in respect of goods the importation of which is prohibited, by Section 17 of the Travancore Sea Customs Regulation of 1088:

Provided that the penalty for the offence specified in Section 149, No. 8, of the Travancore Sea Customs Regulation of 1088 shall, where the offence is committed in relation to matches, splints or veneers, or other articles the importation of which is prohibited by, or under this Regulation be a penalty of confiscation only, and such penalty of confiscation shall not be inflicted under Section 149, No. 8 of the Travancore Sea Customs Regulation of 1088, in any case where the person concerned in the offence is sent for trial under Section 11 or Section 13 of this Regulation.

17. Our Government may, by notification in Our Government Gazette, declare that any of the provisions of the Travancore Sea Customs Regulation of 1088, relating to the levy of and exemption from customs duties, drawback of duty, warehousing, offences and penalties, confiscation, and procedure relating to offences and appeals shall, with such modifications and alterations as they may consider necessary or desirable to adapt them to the circumstances, be applicable in regard to like matter in respect of the duty on matches or other articles imposed under the provisions of this Regulation.

Application of the provisions of the Regulation V of 1088 to the duty on matches.

18. (1) Our Government may, by notification in Our Government Gazette, make rules to carry into effect the purposes and objects of this Regulation.

Power of Government to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may—

(a) prescribe the rate of duty referred to in clause (b) of Section 4 ;

(b) provide for the assessment and collection of the duty and the authorities by whom functions under this Regulation are to be discharged, the issue of notices requiring payment, the manner in which the duty shall be payable, and the recovery of arrears ;

(c) provide for the distinguishing of matches, splints or veneers, which have been manufactured under licence, of splints or veneers which have been imported under licence and of matches on which duty has been paid, or which are exempt from duty under this Regulation ;

(d) regulate the issue of matches out of any manufactory ; and limit the number of matches which may be contained in a box or booklet.

(e) impose on the owners of manufactories and on persons engaged in the sale of matches the duty of furnishing information, keeping records and making returns, and prescribe the nature of such information and the form of such records and returns, the particulars to be contained therein, and the manner in which they shall be verified ;

(f) provide for the issuing of licences, the form and the conditions of licences and the fees to be charged therefor :

(g) regulate the sale of splints and veneers :

(h) provide for the detention of matches or other articles for the purpose of exacting the duty, the confiscation, otherwise than under Section 15, of matches, splints

and veneers or other articles in respect of which breaches of the Regulation or the rules thereunder have been committed, and the disposal of matches, splints or veneers or other articles so detained or confiscated ;

(i) authorise and regulate the inspection or search of any place or conveyance used for the manufacture, storage or carriage of matches, splints or veneers ;

(j) authorise and regulate the composition of offences against or liabilities incurred under, the regulation and the rules thereunder including composite payments in lieu of duty ;

(k) prescribe the nature of and the manner of affixing banderols or stamps ;

(l) provide for anything that may be prescribed under this Regulation ; and

(m) prescribe the procedure for the collection of any duty (leviable under this Regulation) in such respects as are not expressly provided for by this Regulation.

(3) In making any rule under this Section Our Government may provide that a breach of the rules shall, where no other penalty is provided by this Regulation, be punishable with imprisonment for any term not exceeding six months, or with fine not exceeding one thousand rupees, or with both imprisonment and fine.

Power of Government to provide for rebate of duty.

19. Our Government may, by notification in Our Government Gazette, make rules to provide for the grant of a rebate of the duty payable under the provisions of the Regulation on matches manufactured in any manufactory whose daily output does not exceed one hundred gross of boxes to the following extent, namely :

(i) where the average number of matches in a box or booklet is forty or less, a rebate of ten pies per gross of boxes or booklets ;

(ii) where the average number of matches in a box or booklet is more than forty but not more than sixty, a rebate of one anna and three pies per gross of boxes or booklets ; and

(iii) where the average number of matches in a box or booklet is more than sixty, a rebate of one anna and eight pies per gross of boxes or booklets.

Power of Government to impose excise duty on other articles.

20. (1) It shall be competent to Our Government to levy a duty of excise on any articles (not being matches or sugar) that may be notified in that behalf by Our Government in Our Government Gazette, and such duty shall be levied at such rates as may from time to time be prescribed by Our Government.

(2) Our Government may by notification in Our Government Gazette declare that the provisions of this Regulation relating to the duty on matches, shall, with such modifications and alterations as they may consider necessary or desirable to adapt them to the circumstances, be applicable in regard to like matters in respect of the duty levied or leviable under the provisions of sub-section (1).

Interportal Trade Convention saved.

21. Nothing in this regulation shall be deemed to affect the provisions of the Interportal Trade Convention, 1865.

STATEMENT OF OBJECTS AND REASONS.

The main purpose of this Bill is to impose an excise duty on matches made in Travancore. A similar duty has just now been imposed in British India by the Matches (Excise duty) Act, 1934. It is necessary and expedient that Travancore should do likewise.

2. A general power is also taken, by the Bill, to impose excise duties on such articles as Government may find it necessary to do so from time to time.

Annexure II.

A BILL TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF AN EXCISE DUTY ON MATCHES.

(As passed by the Sri Mulam Assembly)

Preamble. Whereas it is expedient to impose an excise duty on matches and to provide for the collection thereof: It is hereby enacted as follows:—

Short title and extent. 1. (1) This Regulation may be called the "Travancore (Matches) Excise Duty Regulation."

(2) It extends to the whole of Travancore.

Definitions. 2. In this Regulation, unless there is anything repugnant in the subject or context,—

(a) "manufactory" means any premises wherein matches are manufactured or which are declared by Our Government by notification in Our Government Gazette to be a manufactory for the purposes of this Regulation;

(b) "match" includes a fire work in the form of a match: and, where a match-stick contains more heads than one capable of being ignited by striking, each such head shall be deemed to be a match;

(c) "owner" includes any person expressly or impliedly authoised by an owner of a manufactory to be his agent in respect of the manufactory;

(d) "splints" means undipped splints, such as are ordinarily used for making matches;

(e) "veneers" means veneers such as are ordinarily used for making match-boxes; and

(f) "prescribed" means prescribed by rules made by Our Government under this Regulation.

Imposition of duty on matches. 3. A duty of excise at the rates specified in the Section 4 shall be levied on all matches manufactured in any manufactory in Travancore and issued out of such manufactory on or after the 1st day of April, 1934, and shall be payable by the owner of the manufactory.

Rates of duty. 4. The duty payable under Section 3 shall be levied at the following rates, namely:—

(a) on matches in boxes or booklets containing on an average not more than eighty—

(i) if the average number is forty or less, at the rate of one British rupee per gross of boxes or booklets,

(ii) if the average number is more than forty, but not more than sixty, at the rate of one British rupee and eight annas per gross of boxes or booklets; and

(iii) if the average number is more than sixty, at the rate of two British rupees per gross of boxes or booklets; and

(*b*) on all other matches, at such rate as Our Government may prescribe.

Recovery of duty with penalty.

5. (1) If any duty payable under the provisions of this Regulation or any rules made thereunder is not paid within the time fixed by rules made in that behalf under this Regulation, it shall be deemed to be an arrear, and the authority to which such duty is payable may, in lieu thereof, recover any sum not exceeding four times the amount of duty unpaid which such authority may in its discretion think it reasonable to require.

(2) An arrear of duty, or any sum recoverable in lieu thereof under this Section, shall be recoverable as an arrear of land revenue and shall be recoverable in addition to, and not in substitution for, any other penalty incurred under this Regulation.

Issue of matches from manufactory.

6. No person shall issue any matches out of a manufactory, except in accordance with the provisions of rules made in that behalf under this Regulation; or, until such rules are made, in accordance with the general or special orders of such authority as Our Government may appoint in that behalf.

Power of Government to prohibit import of matches

7. Our Government may, by notification in Our Government Gazette, prohibit absolutely, or with such exceptions as they think fit, the bringing of matches into Travancore from the territory of any specified Prince or Chief in India.

Power of Government to direct use of banderols.

8. (1) Our Government may, by notification in Our Government Gazette, direct that after a date to be specified in the notification no matches manufactured after the date of the issue of the notification shall be issued from a manufactory in Travancore except in packets, boxes or booklets bearing a banderol or stamp of such nature and affixed in such manner as may be prescribed.

(2) Our Government may, by a like notification, direct that, after a date to be specified in the notification, no matches shall be sold or offered or kept for sale in Travancore except in packets, boxes or booklets bearing such a banderol or stamp so affixed.

(3) Our Government may exempt from the operation of any notification made under sub-section (1) matches intended for export from Travancore.

(4) Our Government may exempt from the operation of any notification made under sub-section (2) matches of a particular kind or packed in a particular manner.

9. From such date as may be fixed by Our Government by notification in Our Government Gazette in this behalf,

Prohibition of manufacture of matches and manufacture and imports of splints and veneers.

(a) no person shall manufacture matches or splints or veneers in Travancore except under and in accordance with a lisence to manufacture issued under this Regulation;

(b) no person shall import splints or veneers in Travancore except under and in accordance with a licence to import; and

(c) no person shall supply splints or veneers to any person who does not possess a licence to manufacture matches issued under this Regulation, or otherwise than in such manner as may be prescribed.

10. Whoever contravenes the provisions of Section 6 shall be punishable with imprisonment which may extended to six months, or with fine which may extended to one thousand rupees, or with both.

Penalty for issue of matches from manufactory in contravention of Section 6.

11. (1) Whoever, in contravention of any notification made under Section 7, imports or attempts to import matches into Travancore shall be punishable with imprisonment which may extend to six months, or with fine which may extend to four times the amount of the duty which would be payable on the matches if they were liable to Excise duty in Travancore or to one thousand rupees, whichever is greater, or with both imprisonment of fine.

Penalty for import of matches in contravention of Regulation.

(2) Whoever abets an offence punishable under sub-section (1) shall, whether such offence is or is not committed in consequence of such abetment, and notwithstanding anything contained in Section 106 of the Travancore Penal Code, be punishable with the punishment provided for the offence.

12. (1) Whoever, in contravention of any direction made under sub-section (1) of Section 8, issues any matches from any manufactory shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater, or with both imprisonment and fine.

Penalty for issue or sale of matches without banderol.

(2) Whoever, in contravention of any direction made under sub-section (2) of Section 8, sells or offers or keeps for sale any matches

shall be punishable with fine which may extend to one thousand rupees or to one rupee for every packet, box or booklet of matches in respect of which an offence has been committed, whichever is greater.

Penalty for manufacture of matches and manufacture and import of splints and veneers without licence.

13. Whoever, in contravention of the provisions of Section 9, manufactures matches, splints or veneers or imports splints or veneers into Travancore or supplies splints or veneers to any person shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Penalty for evation of duty or failure to supply information.

14. Whoever evades, or attempts to evade, the payment of any duty payable by him under this Regulation, or fails to supply any information which he is required under this Regulation or any rules made thereunder to supply, or knowingly supplies false information, shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Power of courts to order forfeiture of matches splints or veneers.

15. Any court trying an offence under this Regulation may order that any matches splints or veneers together with the boxes, packing or wrapping thereof, in respect of which the court is satisfied that an offence under this Regulation has been committed, shall be forfeited to Our Government.

Application of Regulation V of 1088 to the importation of matches, splints or veneers.

16. The law for the time being in force relating to Sea Customs and to goods, the importation of which is prohibited by Section 17 of the Travancore Sea Customs Regulation of 1088, shall apply in respect of matches, splints or veneers, the importation of which is prohibited by or under this Regulation, and the officers, of Customs and the Officers empowered under the Travancore Sea Coustoms Regulation of 1088 to perform the duties imposed by that Regulation on a Customs Inspector and other officers of Customs shall have the same powers in respect of such matches, splints or veneers, as they have for the time being in respect of goods the importation of which is prohibited by Section 17 of the Travancore Sea Customs Regulation of 1088.

Provided that the penalty for the offence specified in Section 149, No. 8, of the Travancore Sea Customs Regulation of 1088 shall, where the offence is committed in relation to matches, splints or veneers, the importation of which is prohibited by, or under this Regulation be a penalty of confiscation only, and such penalty of confiscation shall not be inflicted under Section 149, No. 8, of the Travancore Sea Customs Regulation of 1088, in any case where the person concerned in the offence is sent for trial under Section 11 or Section 13 of this Regulation.

17. Our Government may, by notification in Our Government Gazette, declare that any of the provisions of the Travancore Sea Customs Regulation of 1088, relating to the levy of and exemption from customs duties, drawback of duty, warehousing, offences and penalties, confiscation, and procedure relating to offences and appeals shall, with such modifications and alterations as they may consider necessary or desirable to adopt them to the circumstances, be applicable in regard to like matters in respect of the duty on matches imposed under the provisions of this Regulation.

Application of the provisions of the Regulation V of 1088 to the duty on matches.

18. (1) Our Government may, by notification in Our Government Gazette, make rules to carry into effect the purposes and objects of this Regulation.

Power of Government to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(a) prescribe the rate of duty referred to in clause (b) of Section 4;

(b) provide for the assessment and collection of the duty and the authorities by whom functions under this Regulation are to be discharged, the issue of notices requiring payment, the manner in which the duty shall be payable, and the recovery of arrears;

(c) provide for the distinguishing of matches, splints, or veneers which have been manufactured, under licence, of splints or veneers which have been imported under licence and of matches on which duty has been paid, or which are exempt from duty under this Regulation;

(d) regulate the issue of matches out of any manufactory; and limit the number of matches which may be contained in a box or booklet.

(e) impose on the owners of manufactories and on persons engaged in the sale of matches the duty of furnishing information, keeping records and making returns, and prescribe the nature of such information and the form of such records and returns, the particulars to be contained therein, and the manner in which they shall be verified;

(f) provide for the issuing of licences, the form and the conditions of licences and the fees to be charged therefor;

(g) regulate the sale of splints and veneers;

(h) provide for the detention of matches for the purpose of exacting the duty, the confiscation, otherwise than under Section 15, of matches, splints and veneers in respect of which breaches of the Regulation or the rules thereunder have been committed, and the disposal of

matches, splints or veneers so detained or confiscated;

(*i*) authorise and regulate the inspection or search of any place or conveyance used for the manufacture, storage or carriage of matches, splints or veneers;

(*j*) authorise and regulate the composition of offences against, or liabilities incurred under, the Regulation and the rules thereunder including composite payments in lieu of duty;

(*k*) prescribe the nature of and the manner of affixing banderols or stamps;

(*l*) provide for anything that may be prescribed under this Regulation; and

(*m*) prescribe the procedure for the collection of any duty (leviable under this Regulation) in such respects as are not expressly provided for by this Regulation.

(3) In making any rule under this Section, Our Government may provide that a breach of the rules shall, where no other penalty is provided by this Regulation, be punishable with imprisonment for any term not exceeding six months, or with fine not exceeding one thousand rupees, or with both imprisonment and fine.

Power of Government to provide for rebate of duty.

19. Our Government may, by notification in Our Government Gazette, make rules to provide for the grant of a rebate of the duty payable under the provisions of the Regulation on matches manufactured in any manufactory whose daily output does not exceed one hundred gross of boxes to the following extent, namely:—

(i) where the average number of matches in a box or booklet is forty or less, a rebate of ten pies per gross of boxes or booklets;

(ii) where the average number of matches in a box or booklet is more than forty but not more than sixty, a rebate of one anna and three pies per gross of boxes or booklets, and

(iii) where the average number of matches in a box or booklet is more than sixty, a rebate of one anna and eight pies per gross of boxes or booklets.

Annexure III.

REPORT OF THE SELECT COMMITTEE ON THE TRAVANCORE EDAVAGAI BILL.

The President,

Sri Mulam Assembly.

We, the undersigned, members of the Select Committee to which the Travancore Edavagai Bill was referred, have considered the Bill and have now the honour to submit this our report, with the Bill as revised by us annexed thereto.

2. We have sat over the Bill for 17 days and have examined its provisions thoroughly. We have also heard the representatives of Poonjar and Vanjipuzha Edavagais, Mr. Ravi Varma of Kilimanoor and Mr. E. V. Krishna Pillai who appeared on behalf of some tenants of Poonjar.

3. The changes that we have made in the Bill are so numerous and detailed that the usual way of making and exhibiting the amendments, clause by clause, would be tedious and would further be scarcely informing. We have therefore entirely recast the Bill. The main changes we have made in the Bill are indicated below.

4. The Bill was designed to cover the four Edavagais of Poonjar, Vanjipuzha, Kilimanoor and Edappalli specifically and to be extended to other Edavagais by Government order Kilimanoor and Edappalli have already been settled, and the provisions for settlement, which are the main provisions of the Bill and which the other two named Edavagais require, have no application to the former. We are of opinion that Regulation IV of 1068, which governs Kilimanoor and Edappalli and which was proposed, in the Bill, to be repealed, may be let to stand. Those two Edavagais require only a provision to deal with unauthorised entries into unassessed lands within their limits. Such a provision may be added in Regulation IV of 1068 by an amendment of it. This is what we propose in the Revised Bill (see Clause 18 of the Revised Bill.)

5. The proposal in the Bill, as referred, to extend the provisions of the measure to other Edavagais by an order of Government does not appear to be quite satisfactory, particularly because the conditions of those Edavagais may not be anything like those of the Edavagais dealt with by the Bill. We have therefore deleted that provision.

6. The chief purpose of the Bill is the settlement of the lands in the Edavagai. The proposal in the Bill is to the effect that this should be done mainly in accordance with rules passed by Government. While many things may, and should, be left to Rules, we think that it is

necessary to lay down certain fundamental principles in the Bill itself to be observed in the settlement and, for that purpose, to be incorporated in the Rules. We have made provision for this in the Revised Bill (see Clause 5 (2). On the completion of the settlement, holders of lands which have not been declared as *thanathu* lands are given permanency of occupancy (see Clause 7).

7. Assignments of *thanathu* lands may be made by the Chief but they should be done subject to the rules governing the assignment of Government lands (see Clause 8).

8. Unauthorised occupation of *thanathu* lands are dealt with in Clause 9. Such occupants are to be summarily evicted, but they would be given a concession if their occupation began previous to the commencement of this law : such occupants will be allowed to take a registry of the land on payment of a moderate *taravila*.

9. The rent due to the Chief is made a first charge and such rents and such other amounts may be recovered by summary processes (see Clauses 11 and 13). Provision is made also for the conferment of certain powers of Proverthikaran, Tahsildar and Peishkar on the agents and servants of the Edavagai Chief (see Clause 15).

10. Lands coming within the purview of the Jenmi and Kudiyan Regulation and lands belonging to Sirkar Devaswoms and Pandaravagai lands are excepted from the operation of this law (see Clause 14).

11. Right of resort to Civil Courts by aggrieved parties is recognised except in respect of the rate and amount of *pattam* assessed on lands (see Clause 17).

12. A general rule making power is provided for by Clause 16.

13. The Bill has received material alterations and it should be republished, as revised by us.

We must not close this report without expressing our indebtedness to Mr. C. P. Gopala Panikkar, B. A. & B. L., Commissioner of Poonjar, who has been very helpful to us in unravelling many knotty points relating to Poonjar Edavagai. Mr. N. Nilakanta Pillai, B. A. & B. L., Dewan Peishkar, attended the Select Committee on our invitation and we laid his knowledge and experience of revenue matters under contribution. We had also the advantage of the presence and co-operation of Rao Sahib S. Parameswara Aiyar, M. A. & B. L., at two sittings. Mr. Sridharan Pillai, B. A. & B. L., Agent of the Vanjipuzha Chief, also gave us useful information.

Trivandrum,
21st April 1934.

(Sd.) T. K. Velu Pillai
(Sd.) P. K. Narayana Pillai
(Sd.) P. G. Rama Varma Raja
Subject to my dissenting note.
(Sd.) N. Govinda Menon

Subject to my dissenting note.
(Sd.) K. P. Krishna Menon
Subject to my dissenting note.
(Sd.) K. Sankaran
(Sd.) T. P. Velayudhan Pillai
(Sd.) S. Nilakanta Pillai
Subject to my dissenting note.
(Sd.) T. K. Alexander
Subject to a dissenting note.
(Sd.) A. Thanu Pillai
Subject to a dissenting note.
(Sd.) K. C. Karunakaran
(Sd.) K. C. Abraham
(Sd.) K. Paramesvaran Pillai
(Sd.) N. Kunjan Pillai
(Sd.) K. George.

MINUTE OF DISSENT

by

MR. P. G. RAMA VARMA RAJA.

In agreeing with the principles and provisions of the Bill as re-drafted by the Select Committee in general, I wish to add a note of dissent in respect of certain provisions in the Bill.

I. The provision for the imposition of *taravila* is Section 5 Clause iv. The rate fixed by that clause is Rs. 15 as the maximum amount for dry lands. In my view the rate fixed is too low. In respect of lands of similar quality, the Sirkar is levying a *taravila* which is very much higher than this amount. The rate of *taravila* assessed in the neighbouring *pakuthies* of Kondoor and Kanjirapally will bear ample testimony to this fact. Further, certain lands claimed by the Poonjar Chief as lying within his freehold Edavagai was adjudged by the Honourable High Court to lie outside the boundaries of the Poonjar Edavagai in the boundary dispute between the Travancore Government and Poonjar Chief and for such lands as adjudged to belong to lie outside the Poonjar Edavagai the Sirkar is, I understand, levying a *taravila* of not less than Rs. 25 per acre. Sirkar lands lying contiguous to Poonjar Edavagai lands are thus assessed to a higher rate of *taravila*. I then see no reason why a distinction should be made in respect of lands lying within the Edavagai in respect of the assessment of *taravila*. It is therefore my view that, in regard to the assessment of *taravila* in Edavagai, the rate now followed by the Government should be adopted.

II. Section 5 Sub-Clause 2, Cl, vi provides that no *tadivila* can be assessed to holdings provided for in Clause (1), (iii) and (iv a). It is really an admitted fact that the Chief is the proprietor of the trees and timber on the lands within an Edavagai. When they are deprived of their ownership over those trees and timber, it is but fair and equitable to pay them their value. I therefore think that the Chief of an Edavagai should be given the *tadivila* also at the time of settlement in respect of holdings mentioned above.

III. Another point in which I dissent is in regard to the provision relating to the applicability of the Jenmi and Kudiyan Regulation in respect of the Edavagais.

To me, it appears that the Jenmi and Kudiyan Regulation cannot be made applicable to any land within an Edavagai. When the lands in the estate of Edapalli were settled, this question arose and the Government decided that provisions of the Jenmi and Kudiyan Regulation should not be made applicable in regard to lands within that Edavagai for the purpose of the settlement. The Government treated those lands as lands held on mortgage and settled them on that basis.

I am of opinion that consistently with the principle adopted by the Government in regard to such lands in Edappalli estate, the same method might be adopted in the Edavagais contemplated by this Bill.

(Sd.) P. G. Rama Varma Raja.
9th Medom 1109.

MINUTE OF DISSENT
by
Mr. N. Govinda Menon.

I desire to add my note of dissent in respect of a few of the principles adopted in the Bill as re-drafted by the majority of the members of the Select Committee.

In dealing with the Rules to be prescribed for the conduct of settlement in Section 5 of the Bill, Sub-Section 2 Clause (IV) provides for a rule which enjoins holders of land to pay *taravila* not exceeding Rs. 15 for dry land and Rs. 50 for wet land per acre. This in principle is wrong. The holders of land contemplated therein have been enjoying their holdings more or less under a belief of permanancy after acquiring the same from the Chiefs on payment of some amount by whatever name it is called.

The Bill, as orginally drafted and submitted in the Assembly, did not contemplate the levy of any *taravila* as may be seen from the Objects and Reasons stated along with it and also from its provisions. The framers of the original Bill wanted to confer permanent occupancy rights to all the tenants irrespective of the nature of the holding. The general policy of law in the State as adopted in the Pattom Proclamation of 1040, the Royal Proclamation of 1042, the Jenmi and Kudiyan Regulation of 1071 and the Estate Rent Recovery Regulation of 1068

demanded such a legislation in the interest of both the Chiefs and the tenants of the Edavagais. In re-drafting the Bill, the majority of the members of the Select Committee has deviated from this fundamental principle which gave birth to the idea of a legislation for the Edavagais.

The holdings in the Edavagais of Edappalli and Kilimanoor were settled and permanent occupancy rights conferred without levy of any *taravila*. There is no reason why the tenants of Poonjar and Vanjipuzha Edavagais be given a different treatment in this respect.

The history of these Edavagais also would not justify the imposition of *taravila* on the holdings therein. Poonjar Edavagai, for example, was, before the conquest of Thekkumkoor by Travancore, a dependant Principality of the former. With the annexation of Thekkumkoor, Poonjar also came under the Travancore State and under a grant made by the Travancore Maha Raja in 951, the Poonjar Chief became the overlord of the Edavagai. In the general settlement of 1012, the holdings in Poonjar Edavagai also were settled in the same manner as Pandarapattom holdings and no difference was sought to be maintained between holdings in the Edavagai and those in other parts of the taluk. Unfortunately, the Edavagai was left out of settlement during the last general settlement for no fault of the tenants. The Poonjar Chief and his tenants as the subjects of His Highness the Maha Raja are bound by the law of the State and when fixity of enjoyment was conferred upon Venpattom tenants of the State by the Pattom Proclamation of 1040, the Edavagai tenants also were benefited by it. The registries of *puduvals* effected in the Poonjar Edavagai ever after strictly conformed to the rules for registering Sirkar *Puduval* lands.

Another provision in the Bill as redrafted to which I cannot agree is the one contained in Section 9, which provides for ejecting occupants who having entered without any title unauthorisedly continue in possession after the date of the Regulation. These tenants who have been long in the property have spent labour and money to effect valuable improvements on their holdings. No doubt it may be said that they are given an option to take registries. But that option is no sufficient safeguard to protect the interests of such tenants. Their ordinary civil right to get the value of improvements they have effected upon the property is proposed to be negatived by this legislation. It may be said that they are trespassers and that they deserve no sympathy at the hands of the legislature. But those who know the conditions in these Edavagais would agree that many of them cannot be said to be trespassers in the strict sense of the word, they having occupied the lands in the belief that they will be given registries or compensated for the improvements.

A third provision which would work hardship on the tenants at large is the one contained in Section 11. That Section makes the Revenue Recovery Regulation applicable to the collection of Edavagai dues. Along with the rents and other dues settled under the provisions of the Regulation, dues on holdings enjoyed under registered documents are also made recoverable under the Revenue Recovery Regulation.

The land records in these Edavagais are far from satisfactory and there is no guarantee that the documents are followed by possession. There are instances in which the Chief, after having executed documents, was unable to give possession either because there was no land available or because the land mentioned in the document happened to be in the possession of strangers. Moreover, to make the Revenue Recovery Regulation applicable to all sorts of dues is against its very principle. It can be made use of only in the collection of public demands and not in all manner of private demands, for which the ordinary civil law of the land should be deemed sufficient.

Subject to this minute of dissent I agree.

(Sd.) N. GOVINDA MENON,
9th Medom 1109.

MINUTE OF DISSENT
by
MESSRS K. P. KRISHNA MENON
and
T. K. ALEXANDER.

We are in complete agreement with the objects and principles of the proposed legislation which in our opinion is one in the interests of both the Chiefs and their tenants, and except in the matter of certain minor detail the draft Bill drawn up by the Committee has our approval. But unfortunately the Committee, at any rate the majority thereof, and some people interested in the legislation do not appear to have been fully impressed with the general importance of the proposed legislation. Hence we believe they seek to confine only to some of the Edavagais, *viz.*, Poonjar and Vanjipuzha. In our humble opinion, we would make it applicable to all the Edavagais. The existing Act, Regulation IV of 1068, which is now proposed to be retained so far as certain of the Edavagais are concerned, is neither exhaustive nor sufficient to meet the object of the legislation. Since the passing of Regulation IV of 1068, considerable period of time has elapsed and it is not sufficient to meet the new problems and difficulties of modern times. Those who were responsible for the drafting of the Bill as published in the Gazette recognised this and proposed to make the new legislation applicable to all the Edavagais. The difficulties suggested at the time of the discussion making the Bill applicable to all the Edavagais do not in our opinion appear, to be substantial. We would make the proposed legislation applicable to all the Edavagais repealing the old Act of 1068. Of course, having regard to the peculiar condition obtaining in some of the Edavagais, particular provisions may have to be made for insuring a harmonious and effective working of the Act. That we venture to suggest will not be an insurmountable difficulty. With the consolation

of being able to place our views before the legislature when the draft of the Committee comes up for consideration, we have appended our signatures to the Report of the Select Committee.

(Sd.) K. P. KRISHNA MENON,
9th Medom 1109.
(Sd.) T. K. ALEXANDER.
9th Medom 1109.

MINUTE OF DISSENT
by
MR. A. THANU PILLAI
and
MR. S. NILAKANTA PILLAI.

As has been stated in the Report of the Select Committee, the changes made in the original Bill by the majority of the members of the Committee are so numerous that the Bill has been entirely recast and the result is practically a new Bill. This is due mainly to the fact that the majority of the Committee have deviated from the original Bill in an important point. The original Bill provides for settling the rents payable in respect of the holdings in the Edavagai (cl. 3) and for declaring that when such settlement has been made the holders of lands within the Edavagai shall have rights of permanent occupancy in respect of their holdings (cl. 8). No levy of *taravila* from holders of lands is contemplated. The majority of the Select Committee have however, made payment of *taravila* by *pattom* tenants a necessary condition for their being given permanent occupancy rights. In our opinion this is objectionable and the Bill should be re-drafted on the basis that *pattom* tenants should be given permanent occupancy rights without the levy of any *taravila*. Such a course would be in consonance with the tendency of legislation in Travancore and elsewhere. The pattom Proclamation of 1040 conferred permanent occupancy rights on Venpattom tenants of Sirkar lands. The same rights were declared in favour of Venpattom tenants in the Estates of Edapalli and Kilimanoor by the Rent Recovery Regulation, IV of 1068. A different treatment of Poonjar and Vanjipuzha tenants is thoroughly unsupportable. In the Statement of Objects and Reasons annexed to the original Bill, it has been clearly stated that the Chiefs of Poonjar and Vanjipuzha have no objection to confer permanent rights of occupancy upon their tenants and that the present legislation is undertaken with a view to confer upon the tenants of Poonjar and Vanjipuzha Edavagais permanent rights of occupancy as in the case of Edapalli and Kilimanoor. To levy *taravila* from tenants for making them permanent holders of land is really to sell their holdings to them and not to confer permanent rights of occupancy upon them. Further the provision for the levy of *taravila* from *pattom* tenants will cause a good deal of confusion, both in and after the settlement, and the settle-

ment under such conditions will by no means be satisfactory as can be seen from the provisions made in the Select Committee's Bill to deal with the complications that will arise in consequence of the provisions for the levy of *taravila*.

Further, the proposal in the original Bill was to have a single piece of legislation applicable to all Edavagais and to repeal the existing Rent Recovery Regulation but a different course is proposed by the majority of the Select Committee in consequence of the difference in the proposed treatment of Poonjar and Vanjipuzha from that accorded to Kilimanoor and Edapalli. The result is that many of the benefits conferred on the tenants of Kilimanoor and Edapalli by the Rent Recovery Regulation, IV of 1068 (*vide* Sections 2, 3 and 4 of that Regulation) are not made available to the tenants of Poonjar and Vanjipuzha and the Chiefs of the two latter Edavagais are sought to be given wider powers and greater facilities for managing their Edavagais than the Chiefs of Edapalli and Kilimanoor (see Clauses 8 and 15 of the Select Committee's Bill).

The provisions for extending the application of the Land Conservancy Regulation to the Edavagais and for conferring the powers of Proverthicars, Tahsildars and Peishkars on the agents or servants of the Chiefs of Poonjar and Vanjipuzha are also objectionable.

The Bill, according to us, has to be re-drafted. But to meet the contingency of the Bill as drafted by the Select Committee being proceeded with, we propose the following amendments to its main provisions.

Clause 2 (vi) and (vii). We propose that the words "subject or not subject to conditions" be deleted. Permanency of occupancy should not be made subject to conditions.

Clause 4. The term "recoverable" should be changed into "recovered". The cost of the settlement of Edavagais, from which Government get nothing by way of land revenue, should be met by the Chiefs concerned and public funds should not be spent on that account. The recovery of the costs should therefore be made obligatory.

Clause 5. (2) (*ii*) should be deleted. We are of opinion that all holdings should be settled and permanency of occupancy rights conferred on the holders concerned. The holdings mentioned in this sub-clause should be dealt with along those dealt with in sub-clause (iv).

Clause 5. (2) (*iii*) According to us, the principles embodied in the Settlement Proclamation and applied to the settlement of Pandaravagai otti lands should be applied to the settlement of lands held on usufructuary mortgages in the Edavagais of Poonjar and Vanjipuzha as well. Therefore we propose that the following be substituted for sub-clause (iii).

"For lands held on usufructuary mortgages being settled as registered holdings without the levy of any *taravila* or *tadivila* or the repayment of the mortgage amounts but subject to assessment as follows :

(*a*) Lands on which the demand at the time of the settlement is found to be less than half the *pattom* assessment as contemplated in sub-clause (viii) will have the demand fixed at one-half of that assessment.

(*b*) Lands on which the demand at the time of the settlement is found to be more than half of the *pattom* assessment will have such demand confirmed and continued as the future demand.

(*c*) Lands on which the demand at the time of the settlement is found to be equal to or to exceed the *pattom* will have the *pattom* fixed as the demand."

Clause 5 (2) (*iv*) (*a*) *and* (*b*) (*i*) *and* (*ii*). In our opinion permanent occupancy rights should be conferred on tenants in respect of all holdings provided for in sub-clauses (iv) (*a*) and (ii) of clause 5 without the levy of *taravila* and without reference to the existence or non-existence or the extent of any term. Therefore we propose that the following be substituted for clause 5 (2) (iv) (*a*) :

"For holdings (not being those held on permanent or irredeemable tenures or on usufructuary mortgages) being settled as registered holdings, without the levy of any *taravila* or *tadivila*, but subject to the assessment of the full *pattom* contemplated in clause (viii) of Section 5 as the rent payable to the Chief".

If this is accepted, sub-clauses (iv) (b) (i) and (iv) (b) (ii) become unnecessary. If the above substitution is not accepted, we would propose that the proviso in sub-clause (iv) (b) (i) be deleted. If the tenant is not to be given the benefit of permanent occupancy rights, there is no justification for his being called upon to pay rent assessed on the basis of the settlement rules. In that case his liability is only to pay rent assessed in accordance with his contract with the Chief and on principles that the Civil Court would adopt. Further the period available under a covenant for the renewal may not begin for many years after the settlement and it would be neither fair nor expedient to assess the *pattom* long before that *pattom* will have to be paid.

If the clause we propose in substitution for sub-clause iv (a) is not accepted, we would further propose that the following be inserted as sub-clause (iv) (b) (iii) of clause 5 :—

"For such *thanatha* lands being settled as registered holdings on the same conditions as are laid down in clause (iv) (a) of Section 5 if the landholder at any time when he continues to be such, agrees to pay the *taravila* and accepts registry as registered holding".

A tenant may not be able to begin payment of *taravila* and accept registry at the time of the settlement, owing to financial backwardness; but his condition may improve during the continuance of his tenancy and it is but mere justice that he should be given a chance to become a registered land-holder.

Clause 5 (2) (*v*). In case the provision proposed by us as clause (iv) (b) (iii) of Section 5 be accepted, clause (v) will have to be modified by the addition at the end, of the words "not dealt with under sub-clause (iv) (b) (iii)".

Clause 5 (2) (*vi*). We propose that the term "land-holder" be substituted for the term "Chief" in the proviso. When the right to the trees (other than Royal trees) is given to the land-holders there is absolutely no reason why the right to the *kutivila* should not be given to him. In case our proposal for inserting (iv) (b) (iii) is accepted, holdings provided for in (iv) (b) (iii) should also be mentioned in this clause along with those provided for in clauses (i), (iii) and (iv) (a).

Clause 5 (2) (*vii*). If the provision proposed by us as sub-clause (iv) (b) (iii), be adopted, the following proviso should be added at the end of sub-clause (vii) "except in the case of lands dealt with under sub-clause (iv) (b) (iii)".

Clause 5 (2) (*viii*). In view of the amendments we propose to clause (iii), we also propose that the words "and clause (iii) (a) and (b)" be added at the end of clause (viii).

Clause 5 (2) (*ix*) This sub-clause provides for the levy of *melvarom* by the Chiefs of Poonjar and Vanjipuzha. It is not clear whether and in respect of what classes of holdings *melvarom* is being levied by these Chiefs. It was also stated at the Select Committee meeting that what Jenmom lands there are in Poonjar Edavagai have not been demised on *kanom*. Under these circumstances, the drafting of clause (ix) is too wide. We would propose that the words "in respect of which *mel varom* is being levied by the Chief" be substituted for the words "provided for in sub-clause (i) and on Jenmom lands".

Clause 5 (2) (*x*). This sub-clause is objectionable. No statutory recognition should be given to service tenures in Edavagais. It is opposed to public policy. We would propose that the following be substituted for sub-clause (x):

"For holdings held on service tenures being settled as registered holdings without the levy of any *taravila* or *tadivila* but subject to the assessment of the full *pattom* contemplated in sub-clause (viii) as the rent payable to the Chief and without any liability on the land-holder to perform any services".

Clause 5 (2) (*xi*) *Explanation*. If the amendments we propose in respect of sub-clauses (ii) and (iv) are accepted, this explanation will have to be deleted.

Clause 7. In view of our amendments to clause 5, we propose that the following be substituted for clause 7:

"The holders of lands within an Edavagai or part of an Edavagai in respect of which a settlement has been carried out in pursuance of this Regulation shall from and after the date of the settlement being declared complete by Our Government,

have the same rights of permanent occupancy in respect of their holdings alienable and heritable as holders of lands under Our Government."

Clause 8. This clause empowers the Chief to make assignments of lands with the result of making the assignees registered land-holders. Waste lands should be made available to cultivators under a well-regulated system of assignments and the reservation by the Chiefs of *thanathu* lands on a large scale should be discouraged. Further, the provisions of the Revenue Recovery Regulation are sought to be put into operation for the realisation of arrears of ren due on assigned lands. Under the circumstances, it is necessary that the assignments are made by Governments officers. Hence we propose that the following be substituted for the clause: —

"8. (*a*) Assignment of lands within an Edavagai shall be regulated by the law for the time being in force relating to the assignment of Government lands and shall be made by officers of Our Government authorised by Our Government in that behalf. The assignees shall be deemed to be registered land holders.

(*b*) No assignment of *thanathu* lands in the possession of a land-holder shall be made in favour of a person other than such land-holder so long as he continues as such. Clause (*b*) is proposed in view of the proposed insertion of Section 5 (iv) (*b*) (iii)"

Clause 9. This clause provides for the application of the Land Conservancy Regulation to *thanathu* lands in an Edavagai. The Land Conservancy Regulation has been enacted to protect Government lands from encroachment and should not on principle be extended to other lands. A Bill to extend the application of this Regulation to the Edavagai lands of Kilimanoor and Edapalli was on a former occasion rejected by the Legislature. We propose that this clause be deleted.

Clause 11. In our opinion, the Revenue Recovery Regulation should not be applied for the purpose of realising any rent other than rent due on a registered holding. The grounds that would justify the application of the provision of the Revenue Recovery Regulation for realising rent due on registered holdings are wanting in the case of other rent or other amounts mentioned in this clause. In the case of registered holdings, the tenant has fixity of tenure and the rent is assessed by duly appointed Government Officers on settled and approved principles. There is no such advantage in other cases. We would therefore suggest that for the words "such rent and *melvarom* as also .... as may be prescribed" the following be substituted:

"Such rent and *melvarom* shall be treated as if they were public revenue and in default of payment may be recovered as arrears of public revenue under the Revenue Recovery Regulation I of 1068, subject to such rules as may be prescribed."

Clause 11. Explanation. If the amendment to clause 5 (ix) suggested above be accepted, this Explanation has to be deleted.

Clause 14. If the Explanation to clause 11 be deleted, the words "except to the..................Section 11" should also be deleted.

Clause 15. It is highly objectionable on grounds of public policy to invest any person who is not a Government officer functioning as such, with powers of a Proverthicar or Tahsildar or Peishkar under the Revenue Recovery or Land Conservancy Regulation. The provision that the powers of a Tahsildar or a Dewan Peishkar shall not be conferred on an agent or servant unless he is a Government Officer whose services have been lent, does by no means change the position. We propose that the following be substituted for clause 15.

"The powers of a Proverthicar, Tahsildar, Dewan Peishkar or other officer under the Revenue Recovery Regulation, I of 1068 shall be exercised by virtue of the provisions in Section 11, only by officers of Our Government acting as such" and 5 per cent of the amount collected in pursuance of the said Regulation shall be appropriated by Government in return for the services rendered by such officers.

If our amendments in regard to the application of the Land Conservancy Regulation are not accepted, clause 15, we suggest above should be so modified that powers under the Land Conservancy Regulation will also be exercised only by Government officers.

Clause 17. We propose that at the end of sub-clause (i) the words "provided that such amount of *puttom* is assessed or fixed by an officer of Our Government" be added.

Clause 18. We propose that this clause be deleted for the reasons stated in connection with clause 9.

We would also suggest that the following be inserted as Section 19:

"Our Government may order remissions and fix commutation rates in respect of rents due on holdings in Edavagais and such orders shall not be liable to be questioned in any Civil Court."

(Sd.) A. Thanu Pillai.
13th Medom 1109.

(Sd.) S. Nilakanta Pillai.
13th Medom 1109.

Annexure iv.

THE TRAVANCORE EDAVAGAI BILL.

(As revised by the Select Committee.)

Whereas it is expedient to provide for the settlement and better administration of certain Edavagais; It is hereby enacted as follows:—

Preamble.

1. (1) This regulation may be called "The Travancore Edavagai Regulation".

Short title and extent.

(2) It extends to the whole of Travancore.

(3) This Section applies to the Edavagais of Poonjar and Vanjipuzha and the Estates of Kilimanoor and Edappalli; and Sections 2 to 17 apply to the Edavagais of Poonjar and Vanjipuzha and Section 18 to the Estates of Kilimanoor and Edappalli.

2. In this Regulation, unless there is anything repugnant in the subject or context,

Definitions.

(i) "Edavagai" means any tract or area recognised as such in Our Government accounts, the whole or any portion of which is exempt from the payment of land revenue to Our Government;

(ii) "holding" means any land within an Edavagai held under-

(a) any title, permanent or temporary, redeemable or irredeemable, derived direct from the Chief or acquired by operation of law as against the Chief, or

(b) any such title acquired by transfer or by operation of law;

(iii) "Chief" means the senior male member or other member of the Poojar Koikal or Vanjipuzha Matom, as the case may be, in whom the management of the family concerned is vested in law for the time being;

(iv) "land-holder" means the proprietor of a holding as such and includes the Karanaván of a Marumakkathayam Tarwad and the manager of a joint Hindu family where the Tarwad or the family, as the case may be, is the proprietor;

(v) "prescribed" means prescribed by Rules made by Our Government under this Regulation and published in Our Government Gazette;

(vi) "registered land-holder" means a land-holder who has been given, on the settlement of the lands in an Edavagai, or thereafter, a permanency of occupancy under the provisions of this Regulation, subject, or not subject, to conditions;

(vii) "registered holding" means a holding in which a land-holder, as such, has a permanency of occupancy subject or not subject, to conditions;

(viii) "poramboke" means a poramboke as defined in the Land Conservancy Regulation of 1091, (Regulation IV of 1091);

(ix) "jenmom land" means land within an Edavagai held as jenmom (whether demised or not) by any person other than the Chief or by any Devaswom other than any Devaswom owned or managed in trust by the Chief, but shall not include lands belonging to Sirkar Devaswoms: and

(x) "*Thanathu* land" means all land within an Edavagai not being

(*a*) Pandaravagai land or land belonging to Sirkar Devaswoms,
(*b*) jenmom land,
(*c*) registered holding, or
(*d*) poramboke.

Settlement of Edavagais.

3. (1) On the completion of the survey of an Edavagai or of any portion thereof, Our Government may direct by notification in Our Government Gazette, that the lands in the Edavagai or the portion of Edavagai so surveyed, as the case may be, be settled by an officer of Our Government.

(2) The direction contained in sub-section (1) may be made, –

(*a*) on the application of the Chief concerned and on his agreeing in writing to defray the whole cost of the settlement, or

(*b*) without such application for reasons to be recorded by Our Government prior to the issue of such notification.

Costs of settlement

4. All costs incurred by Our Government on account of a settlement conducted in pursuance of Section 3 shall be recoverable from the Chief in the same manner as arrears of land revenue.

Rules for settlement.

5. (1) Subject to such rules as may be prescribed consistently with the provisions of this Regulation the conduct of settlement and the proceedings in connection therewith shall, as far as may be, be regulated by the law and procedure, for the time being in force, relating to the settlement of Sirkar lands.

(2) Such rules shall, *inter alia*, provide :–

(i) for the holdings held on permanent or irredeemable titles being settled as registered holdings without the levy of any *taravila* or *tadivila* or any alteration of the rent payable to the Chief;

(ii) for the holdings (not being those held on permanent or irredeemable titles or on usufructuary mortgages) with a term of more than twelve years to run at the commencement of this Regulation being treated and recorded as the *thanathu* land of the Chief and left to be dealt with by the parties in accordance with the terms of their contract or in such other manner as they may agree;

(iii) for lands held on usufructuary mortgages being settled as registered holdings without the levy of any *taravila* or *tadivila* or the repayment of the mortgage amount, but subject to the assessment of the full *pattom* contemplated in Clause (viii) as the rent payable to the Chief;

(iv) (a) for the levy, in not less than ten equal yearly instalments of a *taravila* not exceeding Rupees fifteen per acre of dry land and not exceeding Rupees fifty per acre of wet land for the settlement, as registered holdings, of holdings without any term or with a term of not less than twelve years to run, at the commencement of this Regulation; and

(b) (i) for such holdings being treated and recorded as the *thanathu* land of the Chief wherever the land holder is unwilling to pay the *taravila* and accept registry as registered holding and

(ii) for such *thanathu* lands being left to be dealt with by the parties in accordance with their contract or in such other manner as they may agree, provision being however made notwithstanding anything in the contract that the rent payable during the currency of any period claimed and available under any covenant for the renewal of the holding shall be the *pattom* assessed on the holding at the settlement as contemplated in Clause (viii);

(v) for the levy of any such *taravila* as may be deemed fit by Our Government for the settlement or registry as registered holdings, of *thanathu* lands;

(vi) for the non-levy of *kudivila* in the settlement of holdings provided for in Clauses (i), (iii) and (iv) (a) and for trees (other than royalties so long as they continue to be such) standing on such holdings being left to be appropriated by the landholder upon the settlement being declared by Our Government to be complete:

Provision being however made for the payment to the Chief of the *kudivila*, if any, for the trees which are royalties claimable from Our Government wherever the same could have been claimed by the Chief irrespective of this Regulation;

(vii) for any such *kudivila* as may be deemed fit by Our Government being levied for the settlement or registry, of *thanathu* lands as registered holdings;

(viii) for the *pattom* on holdings being assessed at the amount of *pattom* assessable on such lands if they were pandarapattom lands and for the *pattom* being fixed as the rent payable to the Chief in respect of registered holdings other than those coming under Clause (1);

(ix) for the imposition of a *melvarom* for payment (over and above the rent otherwise payable) to the Chief on holdings provided for in Clause (i) and on jenmom lands and for the rates of such *melvarom* being fixed at one-eighth of the *pattom* assessable on such lands provision being however made that the total demand on the land for rent and *melvarom* together shall not exceed the amount of the *pattom*;

(x) for holdings held on service tenures being dealt with in the same manner as Pandaravagai service inam lands; and

(xi) for the grant of *pattas* to land-holders, for the *pattas* being signed and sealed by an officer of Our Government authorised in that behalf by Our Government and for the issue of the same with or without the seal of the Chief.

Explanation.—Any period available under a covenant for renewal shall not be taken into account in computing the term contemplated in Clauses (ii) and (iv).

6. (1) The completion of the settlement of an Edavagai or any portion thereof shall be declared by Our Government by notification in Our Government Gazette and such settlement shall take effect from the beginning of the Malabar year next after the date of such notification.

Completion of settlement.

(2) Every settlement made in pursuance of this Regulation shall subject to the provisions thereof be in force for thirty years from the date of its taking effect and shall be liable to be revised thereafter.

Settlement final for thirty years

7. Land-holders whose holdings have been dealt with but not treated and recorded as *thanathu* land at the settlement carried out in pursuance of this Regulation shall from and after the date of the settlement being declared complete by Our Government have subject to any such conditions as may have been lawfully imposed the same rights of permanent occupancy in respect of such holdings alienable and heritable as holders of land under Our Government.

Land holders given permanency.

8. It shall be competent to the Chief to make assignments of *thanathu* lands but such assignments shall be made in accordance with the law and rules for the time being in force for the assignment of Government lands so far as they are applicable and subject to the rights, if any, of their parties. Such assignees shall be deemed to be registered land-holders.

Assignment of lands.

9. All *thanathu* lands on which any person has unauthorisedly entered after the commencement of this Regulation or on which any person having unauthorisedly entered before the commencement of this Regulation continues in occupation thereafter shall be liable to be dealt with as if they were the property of Government within the meaning of the Land Conservancy Regulation of 1091 (IV of 1091) for the purposes of such of the provisions thereof as may be notified by Our Government in that behalf;

Unauthorised occupation of *thanathu* lands.

Provided that in the case of any person who having unauthorisedly entered the land before the commencement of the Regulation continues in occupation thereafter, he shall be given an option (to be exercised within a time not being less than two months specified and notified by the officer taking steps under the said Regulation) to take a registry of the land as a registered holding on payment, in not less than ten equal yearly instalments, of such *taravila* not exceeding Rupees thirty per acre on dry lands and Rupees one hundred per acre on wet lands as may be fixed by Our Government from time to time.

10. The rent-roll and other accounts bearing upon the lands in an Edavagai shall be kept in the form in which Our Government accounts are kept and they shall be subject to supervision by Officers of Our Government in accordance with such rules as may be prescribed.

Rent-roll.

11. The rent due to the Chief on registered holdings and the *melvarom* due to him shall be a first charge on the land concerned and shall be paid to the person and in the manner and at the time prescribed. Such rent and *melvarom* as also any other rent or *taravila* or *tadivila* or other amount accruing due to the Chief after the commencement of this Regulation in respect of any holding or other land within an Edavagai by virtue of a registered deed or under the orders passed in pursuance of the provisions of this Regulation or any other Regulation applied to the Edavagai shall be treated as if they were public revenue and in default of payment may be recovered as arrears of public revenue under the Revenue Recovery Regulation, I of 1068 subject to such rules as may be prescribed.

Rent, melvarom &c. may be recovered by summary processes.

Explanation.—Notwithstanding anything contained in the Travancore Jenmi and Kudiyan Regulation of 1071 (Regulation V of 1071 as amended by Regulation XII of 1108, the *melvarom* due on any land shall have priority over the Jenmikaram.

12. All charges and losses that may be incurred by Our Government in connection with any proceedings taken under Section 11 shall be paid by the Chief and may be recovered by Our Government from him as arrears of land revenue under the Revenue Recovery Regulation, I of 1068.

Government to be indemnified for losses.

13. The sale of any land held in pursuance of this Regulation for the realisation of any *melvarom* or rent which is made a first charge under Section 11 shall be free of encumbrances if such sale is to recover the *melvarom* or rent, as the case may be, due on the land sold.

Sale for rent &c, to be free of encumbrances.

14. Nothing in this Regulation shall be deemed to apply—

Kanapattam lands, Sirkar Devaswom lands and Pandaravaga lands excepted.

(*a*) to any land in so far as the provisions of the Travancore Jenmi and Kudiyan Regulation of 1071 (Regulation V of 1071 as amended by Regulation XII of 1108) apply thereto except to the extent provided for in the Explanation to Section 11, or

(*b*) to the settlement of lands belonging to Sirkar Devaswoms or to Pandaravagai lands, if any, within an Edavagai.

15. Our Government may, subject to such rules as may be prescribed, confer the powers of a Proverthikar or a Tahsildar under the Revenue Recovery Regulation, I of 1068, or of a Dewan Peishkar under the Land Conservancy Regulation of 1091 (IV of 1091) on any agent or servant of the Chief;

Powers of Peishkar, etc. to be conferred on Chief's agent.

Provided that the powers of a Tahsildar or a Dewan Peishkar shall not be conferred on the agent or servant unless he is a Government servant whose services have been lent to the Chief; and

Provided also that the appeals and revisions available to the parties under the said Regulations against the orders or actions of a Tahsildar or a Dewan Peishkar shall lie, or shall be provided for by the Rules to lie, to an officer of Our Government in Our Government service.

Explanation. Any right of civil suit available in respect of the orders or actions under the Revenue Recovery Regulation I of 1068 and the Land Conservancy Regulation of 1091 (IV of 1091) shall also be available to the parties.

Power to make Rules.

16. (1) Our Government may make Rules to promote the objects and purposes of this Regulation.

(2) Without prejudice to the generality of the foregoing provisions, Our Government may make Rules,—

(*a*) for any matter that may be prescribed under this Regulation;

(*b*) fixing the rates of *taravila* or *tadivila* or specifying the trees that may be valued for purposes of levying *tadivila* ;

(*c*) prescribing the restrictions, limitations and conditions subject to which any assignment of land may be made under the provisions of this Regulation ;

(*d*) providing for appeal and revision in respect of the orders of any authority exercising powers under this Regulation ;

(*e*) prescribing a time limit for such appeals and revisions ;

(*f*) regulating the powers of the appellate and revisional authorities and the procedure to be followed by them ;

(*g*) providing for the publication of notifications and service of notice ;

(*h*) prescribing the procedure to be followed in enquiries regarding the claims made by parties and in other enquiries under this Regulation ;

(*i*) regulating the issue of *patta* or other title-deed ;

(*j*) prescribing forms where forms are necessary ;

(*k*) providing for the transfers of land being recognised and recorded, the procedure to be followed in recognising and recording such transfers and apportionment of rent or other dues upon division of holding or lands and

(*l*) providing for the grant of receipts for payment of rent or other dues.

Right of suit.

17. (1) No Civil Court shall take into consideration or decide any question as to the rate or amount of *pattom* assessed or assessable on any land under the provisions of this Regulation or as to the amount of *pattom* fixed or hereafter fixed on portions of land.

(2) But nothing contained in this Regulation shall be deemed to prevent parties aggrieved by any proceedings under this Regulation except to the extent provided for in sub-section (1) from seeking redress in the Civil Courts.

18. In the Estates Rent Recovery Regulation, Regulation IV of 1068 the following shall be added at the end of Section 10, namely :—

Amendment of Regulation IV of 1068.

"10. All unassessed lands within the limits of the Estates of Kilimanoor and Edappalli shall be deemed to be the property of Government for the purposes of the Land Conservancy Regulation of 1091 (IV of 1091) and such of the provisions of the said Regulation as may be notified by Our Government in that behalf shall apply thereto subject to such Rules as may be prescribed."

Unassessed lands treated as property of Government.

Annexure I.

REPORT OF THE SELECT COMMITTEE ON THE TRAVANCORE IMPORTATION OF LIVE-STOCK BILL.

To

The President,

The Travancore Sri Mulam Assembly.

Sir,

We the undersigned, members of the Select Committee appointed to consider the Travancore Importation of Livestock Bill have considered the provisions thereof and beg now to submit this our report.

We propose the following amendments, and they are self-explanatory.

Clause 2 (b)

Line 1, for the word " kine " substitute the words, " cows ", " bulls" " bullocks. "

Clause 3 (i)

Line 3, after the word " land " insert the words, " or in any other manner. "

Clause 3 (ii)

Line 8, omit the word " the " occurring before the expression " Sea Customs. "

Clause 4 (ii)

Line 2, for the words " one thousand " substitute " five hundred. "

We do not think that the bill has received any material alteration ; and it requires no republication.

We recommend that the Bill with the above amendments may be passed.

A copy of the Bill as amended is appended hereto.

(Sd.) T. K. Velu Pillai.
(Sd.) K. Padmanabhan.
(Sd.) N. E. Varughese.
(Sd.) N. John Joseph.
(Sd.) K. R. Elenkath.
(Sd.) Pottayil S. Krishna Panickar.
(Sd.) K. P. Krishna Menon.
(Sd.) P. Chidambaram Pillai.
(Sd.) V. Ramakrishna Panickar
(Sd.) K. Paramesvaran Pillai.

Annexure II.

THE TRAVANCORE IMPORTATION OF-LIVESTOCK BILL.

(*As revised by the Select Committee.*)

[Words in Italics indicate the amendments suggested by the Committee.]

Whereas it is expedient to provide for the regulation of the importation of live-stock affected or suspected or liable to be affected by infectious or contagious diseases, it is hereby enacted as follows :—

Short tittle extent and commencement.

1. (i) This Regulation may be called "The Travancore Importation of Livestock Regulation."

(ii) It extends to the whole of Travancore.

(iii) It shall come into force at once.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context.

(a) the expression "infectious or contagious diseases" includes anthrax, rinderpest, foot and mouth disease, glanders and farcy and any other disease or diseases which may, as occasion arises, be specified as such by Our Government by a notification published in Our Government Gazette.

(b) "Livestock" includes horses, *cows, bulls, bullocks*, buffaloes, sheep and any other animal or animals which may, as occasion arises, be specified as such by Our Government by a notification published in Our Government Gazette.

Power to regulate importation of livestock.

3. (i) Our Government may, by a notification published in Our Government Gazette, regulate, restrict or prohibit in such manner and to such extent as they may think fit, the bringing or taking by sea, backwater or land *or in any other manner* into Travancore or any specified place therein, of any livestock affected or suspected or liable to be affected by infectious or contagious diseases and of any fodder, dung, stable-litter, clothing, harness or fittings appertaining to such livestock or that may have been in contact therewith,

(ii) A notification published under sub section (i) shall operate as if it had been issued under Section 18 of the Travancore Sea Customs Regulation of 1088 (V of 1088) and the officers of Sea Customs or other officers appointed by Our Government in this behalf shall have the same powers in respect of any livestock or thing, with regard to the importation of which such a notification has been issued, and the vessel containing the same, as they have for the time being in respect of any article the importation of which is regulated, restricted

or prohibited by law relating to the Sea Customs and the vessel containing the same and the enactments for the time being in force relating to Sea Customs or any such article or vessel shall apply accordingly.

Power to make rules.

4. (i) Our Government may make rules for the detention, inspection, disinfection or destruction of imported livestock, and of fodder, dung, stable-litter, clothing, harness or fittings appertaining to imported livestock, or that may have been in contact therewith, and for regulating the powers and duties of the officers who may be appointed in this behalf.

(ii) In making any rule under this Section, Our Government may direct that a breach thereof shall be punishable with fine which may extend to *five hundred* rupees.

Protection to persons acting under this Regulation.

5. No suit, prosecution or other legal proceeding shall lie against any person for anything done or intended to be done in good faith under this Regulation.

Annexure III.

THE TRAVANCORE IMPORTATION OF LIVE-STOCK BILL.

(As passed by the Sri Mulam Assembly.)

Whereas it is expedient to provide for the regulation of the importation of live-stock affected or suspected or liable to be affected by infectious or contagious diseases; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (i) This Regulation may be called "The Travancore Importation of Live-stock Regulation."

(i) It extends to the whole of Travancore.

(i) It shall come into force at once.

Definitions.

2. In this Regulation, unless there is any thing repugnant in the subject or context,—

(a) the expression "infectious or contagious diseases" includes anthrax, rinderpest, foot and mouth disease, glanders and farcy and any other disease or diseases which may, as occasion arises, be specified as such by Our Government by a notification published in Our Government Gazette, and

(b) "live-stock" includes horses, cows, bullocks, buffaloes, sheep and any other animal or animals which may, as occasion arises, be specified as such by Our Government by a notification published in Our Government Gazette.

Power to regulate importation of live-stock.

3. (i) Our Government may, by a notification published in Our Government Gazette, regulate, restrict or prohibit in such manner and to such extent as they may think fit, the bringing or taking by sea, backwater or land or in any other manner into Travancore or any specified place therein, of any live-stock affected or suspected or liable to be affected by infectious or contagious diseases and of any fodder, dung, stable-litter, clothing harness or fittings appertaining to such livestock or that may have been in contact therewith.

(ii) A notification published under sub-section (i) shall operate as if it had been issued under Section 18 of the Travancore Sea Customs Regulation of 1088 (V of 1088) and the officers of Sea Customs or other officers appointed by Our Government in this behalf shall have the same powers in respect or any live-stock or thing, with regard to the importation of which such a notification has been issued, and the vessel containing the same, as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by law relating to the Sea Customs and the vessel containing the same and the enactment for the time being in force relating to Sea Customs or any such article or vessel shall apply accordingly.

4. (i) Our Government may make rules for the detention, inspection disinfection or destruction of imported live-stock, and of fodder, dung, stable-litter, clothing, harness or fittings appertaining to imported live-stock, or that may have been in contact therewith, and for regulating the powers and duties of the officers who may be appointed in this behalf.

Power to make rules.

(i) in making any rule under this Section, Our Government may direct that a breach thereof shall be punishable with fine which may extend to five hundred rupees.

Protection to persons acting under this Regulation.

5. No suit, prosecution or other legal proceeding shall lie against any person for anything done or intended to be done in good faith under this Regulation.

Annexure IV.

REPORT OF THE SELECT COMMITTEE ON THE TRAVANCORE MARKETS REGULATION AMENDMENT BILL.

To

The President,
The Travancore Sri Mulam Assembly.

Sir,

We the undersigned, members of the Select Committee to which the Travancore Markets Regulation Amendment Bill has been committed for consideration and report, have considered the Bill and beg now to submit this, the following report.

CLAUSE 2.

The proposed clause (4) of Section 3.

We think that the definition of "market" requires some improvement and propose the following in place of the existing definition.

"Market" means any place set apart, or ordinarily or periodically used, for the assembling of persons for the sale or purchase of grain, fruit, vegetables, meat, fish, or other perishable articles of food or for the sale or purchase of live-stock or poultry, or of any agricultural or industrial produce or any raw or manufactured products or any other articles or commodity necessary for the convenience of life."

The provisos and the Explanation may stand as they are.

We recommend that the Bill may be passed with the above amendment.

We do not think that the Bill requires re-publication in the Gazette.

A copy of the Bill as amended is appended hereto.

(Sd.) T. K. Velu Pillai.
(Sd.) K. Sankaran.
(Sd.) T. Krishna Pillai.
(Sd.) N. K. Krishna Pillai.
(Sd.) E. K. Kunjuraman.
(Sd.) M. Sivatanu Pillai.
(Sd.) K. Paramesvaran Pillai.

Annexure V.

THE TRAVANCORE MARKETS REGULATION AMENDMENT BILL.

(*As revised by the Select Committee.*)

[Words in Italics indicate the amendments suggested by the Committee.]

Whereas it is expedient to amend the Travancore Markets Regulation of 1092 (VII of 1092) for the purpose hereinafter appearing: it is hereby enacted as follows:

1. (1) This Regulation may be called the Travancore Markets (Amendment) Regulation, 110 .

(2) It shall come into force at once.

In the Travancore Markets Regulation of 1092 (VII of 1092) hereinafter referred to as the said Regulation, in Section 3, after clause (3), the following clause shall be added namely:—

"(4) *'Market' means any place set apart, or ordinarily or periodically used, for the assembling of persons for the sale or purchase of grain fruit, vegetables, meat, fish, or other perishable articles of food or for the sale or purchase of livestock or poultry, or of any agricultural or industrial produce or any raw or manufactured products or any other articles or commodity necessary for the convenience of life"*

Provided that a single shop or a group of shops not being more than six in number shall not be deemed a market.

Explanation.—A declaration by Our Government that any place used for the sale of any articles is a market shall be conclusive proof of the place being a market for the purposes of this Regulation:

Provided that no such declaration shall be made in respect of any single shop or of any group of shops not being more than six in number and that any such declaration may at any time be cancelled by Our Government."

3. Section 4 of the said Regulation shall be deleted.

Annexure VI.

THE TRAVANCORE MARKETS REGULATION AMENDMENT BILL.

(As passed by the Sri Mulam Assembly.)

Whereas it is expedient to amend the Travancore Markets Regulation of 1092 (VII of 1092) for the purpose hereinafter appearing; It is hereby enacted as follows :—

1. (1) This Regulation may be called the Travancore Markets (Amendment) Regulation, 1109.

(2) It shall come into force at once.

In the Travancore Markets Regulation of 1092 (VII of 1092) hereinafter referred to as the said Regulation, in Section 3, after clause (3), the following clause shall be added namely :—

" (4) 'Market' means any place set apart, or ordinarily or periodically used for the assembling of persons for the sale or purchase of grain, fruit, vegetables, meat, fish, or other perishable articles of food or for the sale or purchase of live-stock or poultry, or of any agricultural or industrial produce or any raw or manufactured products or any other articles or commodity necessary for the convenience of life.

Provided that a single shop or a group of shops not being more than six in number shall not be deemed a market.

Explanation.—A declaration by Our Government that any place used for the sale of any articles is a market shall be conclusive proof of the place being a market for the purposes of this Regulation :

Provided that no such declaration shall be made in respect of any single shop or of any group of shops not being more than six in number and that any such declaration may at any time be cancelled by Our Government. "

3. Section 4 of the said Regulation shall be deleted.

Annexure VII.

THE TRAVANCORE EDAVAGAI BILL.

(As passed by the Sri Mulam Assembly.)

Preamble.

Whereas it is expedient to provide for the settlement and better administration of certain Edavagais: It is hereby enacted as follows:—

Short title and extent

1. (1) This Regulation may be called "The Travancore Edavagai Regulation."

(2) It extends to the whole of Travancore.

(3) This Section applies to the Edavagais of Poonjar and Vanjipuzha and the Estates of Kilimanoor and Edappalli and Sections 2 to 17 apply to the Edavagais of Poonjar and Vanjipuzha and Section 18 to the Estates of Kilimanoor and Edappalli.

Definition.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(i) "Edavagai" means any tract or area recognised as such in Our Government accounts, the whole or any portion of which is exempt from the payment of land revenue to Our Government.

(ii) "holding" means any land within an Edavagai held under—

(*a*) any title, permanent or temporary, redeemable or irredeemable, derived direct from the Chief or acquired by operation of law as against the Chief, or

(*b*) any such title acquired by transfer or by operation of law;

(iii) "Chief" means the senior male member or other member of the Poonjar Koikal or Vanjipuzha Matom, as the case may be, in whom the management of the family concerned is vested in law for the time being;

(iv) "land-holder" means the proprietor of a holding as such and includes the Karanavan of a Marumakkathayam Tarwad and the manager of a joint Hindu family where the Tarwad or the family, as the case may be, is the proprietor:

(v) "prescribed" means prescribed by rules made by Our Government under this Regulation and published in Our Government Gazette;

(vi) "registered land-holder" means a land-holder who has been given, on the settlement of the lands in an Edavagai, or thereafter, a permanency of occupancy under the provisions of this Regulation, subject, or not subject, to conditions;

(vii) "registered holding" means a holding in which a land-holder, as such, has a permanency of occupancy subject, or not subject, to conditions;

(viii) "poramboke" means a poramboke as defined in the Land Conservancy Regulation of 1091, (Regulation IV of 1091):

(ix) "jenmom land" means land within an Edavagai held as jenmom (whether demised or not) by any person other than the Chief or by any Devaswom other than any Devaswom owned or managed in trust by the Chief, but shall not include lands belonging to Sirkar Devaswoms; and

(x) "*Thanathu* land" means all land within an Edavagai not being—

(*a*) Pandaravagai land or land belonging to Sirkar Devaswoms,

(*b*) jenmom land,

(*c*) registered holding, or

(*d*) poramboke.

Settlement of Edavagai.

3. (1) On the completion of the survey of an Edavagai or of any portion thereof, Our Government may direct, by notification in Our Government Gazette, that the lands in the Edavagai or the portion of Edavagai so surveyed, as the case may be, be settled by an officer of Our Government.

(2) The direction contained in sub-section (1) may be made,—

(*a*) on the application of the Chief concerned and on his agreeing in writing to defray the whole cost of the settlement, or

(*b*) without such application for reasons to be recorded by Our Government prior to the issue of such notification.

Costs of settlement.

4. All costs incurred by Our Government on account of a settlement conducted in pursuance of Section 3 shall be recoverable from the Chief in the same manner as arrears of land revenue.

Rules for settlement.

5. (1) Subject to such rules as may be prescribed consistently with the provisions of this Regulation, the conduct of settlement and the proceedings in connection therewith shall, as far as may be, regulated by the law and procedure, for the time being in force, relating to the settlement of Sirkar lands.

(2) Such rules shall, *inter alia*, provide :—

(i) for the holdings held on permanent or irredeemable titles being settled as registered holdings without the levy of any *tharavila* or *tadivila* or any alteration of the rent payable to the Chief

(ii) for the holdings (not being those held on permanent or irredeemable titles or on usufructuary mortgages) with a term of more than twelve years to run at the cammencement of this Regulation being treated as the *thanathu* land of the Chief and left to be dealt with by the parties in accordance with the terms of their contract or in such other manner as they may agree ;

(iii) for lands held on usufructuary mortgages being settled as registered holdings without the levy of any *tharavila* or *tadivila* or the repayment of the mortgage amount, but subject to the assessment of the full *pattom* contempleted in Clause (viii) as the rent payable to the Chief ;

(iv) (*a*) for the levy, in not less than ten equal yearly instalments, of a *taravila* not exceeding Rupees fifteen per acre of dry land and not exceeding Rupees fifty per acre of wet land for the settlement, as registered holdings, of holdings without any term or with a term of not more than twelve years to run, at the commencement of this Regulation ; and

(*b*) (i) for such holdings being treated and recorded as the *thanathu* land of the Chief wherever the land-holder is unwilling to pay the *taravila* and accept registry as registered holding ; and

(ii) for such *thanathu* lands being left to be dealt with by the parties in accordance with their contract or in such other manner as they may agree, provision being however made notwithstanding anything in the contract that the rent payable during the currency of any period claimed and available under any covenant for the renewal of the holding shall be the *pattom* assessed on the holding at the settlement as contemplated in Clause (viii) :

(v) for the levy of any such *taravila* as may be deemed fit by Our Government for the settlement or registry as registered holdings of *thanathu* lands ;

(vi) for the non-levy of *kudivila* in the settlement of holdings provided for in Clauses (i), (iii) and (iv) (a) and for trees (other than royalties so long as they continue to be such) standing on such holdings being left to be appropriated by the land-holder upon the settlement being declared by Our Government to be complete :

Provision being however made for the payment to the Chief of the *kudivila*, if any, for the trees which are royalties claimable from Our Government wherever the same could have been claimed by the Chief irrespective of this Regulation ;

(vii) for any such *tadivila* as may be deemed fit by Our Government being levied for the settlement or registry of *thanathu* lands as registered holdings

(viii) for the *pattom* on holdings being assessed at the amount of *pattom* assessable on such lands if they were Pandarapattom lands and for the *pattom* being fixed as the rent payable to the Chief in respect of registered holdings other than those coming under Clause (i) :

(ix) for the imposition of a *melvarom* for payment (over and above the rent otherwise payable) to the Chief on holdings provided for in Clause (i) and on jenmom lands and for the rates of such *melvarom* being fixed at one-eighth of the *pattom* assessable on such lands, provision being however made that the total demand on the land for rent and *melvarom* together shall not exceed the amount of the *pattom* :

(x) for holdings held on service tenures being dealt with in the same manner as Pandaravagai service inam lands and

(xi) for the grant of *pattas* to land-holders, for the *pattas* being signed and sealed by an officer of Our Government authorised in that behalf by Our Government and for the issue of the same with or without the seal of the Chief.

Explanation.—Any period available under a covenant for renewal shall not be taken into account in computing the term contemplated in Clauses (ii) and (iv).

6. (1) The completion of the settlement of an Edavagai or any portion thereof shall be declared by Our Government by notification in Our Government Gazette and such settlement shall take effect from the beginning of the Malabar year next after the date of such notification.

Completion of settlement.

(2) Every settlement made in pursuance of this Regulation shall subject to the provisions thereof be in force for thirty years from the date of its taking effect and shall be liable to be revised thereafter,

Settlement final for thirty years.

7. Land-holders whose holdings have been dealt with but not treated and recorded as *thanathu* land at the settlement carried out in pursuance of this Regulation shall, from and after the date of the settlement being declared complete by Our Government, have subject to any such conditions as may have been lawfully imposed the same rights of permanent occupancy in respect of such holdings alienable and heritable as holders of land under Our Government.

Land-holders given permanency.

8. It shall be competent to the Chief to make assignments of *thanathu* lands, but such assignments shall be made in accordance with the law and rules for the time being in force for the assignment of Government lands so far as they are applicable and subject to the rights, if any, of third parties. Such assignees shall be deemed to be registered land-holders.

Assignment of lands.

9. All *thanathu* lands on which any person has unauthorisedly entered after the commencement of this Regulation or on which any person having unauthorisedly entered before the commencement of this Regulation continues in occupation thereafter shall be liable to be dealt with as if they were the property of Government within the meaning of the Land Conservancy Regulation of 1091 (IV of 1091) for the purposes of such of the provisions thereof as may be notified by Our Government in that behalf:

Unauthorised occupation of thanathu lands.

Provided that, in the case of any person who having unauthorisedly entered the land before the commencement of this Regulation continues in occupation thereafter, he shall be given an option (to be exercised within a time not being less than two months specified and notified by the officer taking steps under the said Regulation) to take a registry of the land as a registered holding on payment, in not less than ten equal yearly instalments, of such *teravila* not exceeding Rupees thirty per acre on dry lands and Rupees one hundred per acre on wet lands as may be fixed by Our Government from time to time.

10 The rent-roll and other accounts bearing upon the lands in an Edavagai shall be kept in the form in which our Government accounts are kept and they shall be subject to supervision by officers of Our Government in accordance with such rules as may be prescribed.

Rent-roll.

11. The rent due to the Chief on registered holdings and the *melvarom* due to him shall be a first charge on the land concerned and shall be paid to the person and in the manner and at the time prescribed. Such rent and *melvarom* as also any other rent or *taravila* or *tadivila* or other amount accruing due to the Chief after the commencement of this Regulation in respect of any holding or other land within an Edavagi by virtue of a registered deed or under the orders passed in pursuance of the provisions of this Regulation or any other Regulation applied to the Edavagai shall be treated as if they were public revenue and in default of payment may be recovered as arrears of public revenue under the Revenue Recovery Regulation, I of 1068 subject to such rules as may be prescribed.

Rent, melvarom, etc, may be recovered by summary processes.

Explanation.—Notwithstanding anything contained in the Travancore Jenmi and Kudiyan Regulation of 1071 (Regulation V of 1071 as amended by Regulation XII of 1108) the *melvarom* due on any land shall have priority over the Jenmikaram.

12. All charges and losses that may be incurred by Our Government in connection with any proceedings taken under Section 11 shall be paid by the Chief and may be recovered by Our Government from him as arrears of land revenue under the Revenue Recovery Regulation, I of 1068.

Government to be indemnified for losses.

13. The sale of any land held in pursuance of this Regulation for the realisation of any *melvarom* or rent which is made a first charge under Section 11 shall be free of encumbrances if such sale is to recover the *melvarom* or rent, as the case may be, due on the land sold.

Sale for rent etc, to be free of encumbrances.

14. Nothing in this Regulation shall be deemed to apply—

(*a*) to any land in so far as the provisions of the Travancore Jenmi and Kudiyan Regulation of 1071 (Regulation V of 1071 as amended by Regulation XII of 1108) apply thereto except to the extent provided for in the Explanation to Section 11, or

Kanapattom lands, Sirkar Devaswom lands and Pandaravagai lands excepted.

(*b*) to the settlement of lands belonging to Sirkar Devaswoms or to Pandaravagai lands, if any, within an Edavagai.

15. Our Government may, subject to such rules as may be prescribed, confer the powers of a Proverthikar or Tahsildar under the Revenue Recovery Regulation, I of 1068, or of a Dewan Peishkar under the Land Conservancy Regulation of 1091 (IV of 1091) on any agent or servant of the Chief :

Powers of Peishkar, etc., to be conferred on Chief's agent.

Provided that the powers of a Tahsildar or a Dewan Peishkar shall not be conferred on the agent or servant unless he is a Government servant whose services have been lent to the Chief and

Provided also that the appeals and revisions available to the parties under the said Regulations against the orders or actions of a Tahsildar or a Dewan Peishkar shall lie, or shall be provided for by the rules to lie, to an officer of Our Government in Our Government service.

Explanation.—Any right of civil suit available in respect of the orders or actions under the Revenue Recovery Regulation I of 1068 and the Land Conservancy Regulation of 1091 (IV of 1091) shall also be available to the parties.

Power to make rules.

16. (1) Our Government may make rules to promote the objects and purposes of this Regulation.

(2) Without prejudice to the generality of the foregoing provisions, Our Government may make rules,

(*a*) for any matter that may be prescribed under this Regulation;

(*b*) fixing the rates of *tararila* or *tadivila* or specifying the trees that may be valued for purposes of levying *tadivila*:

(*c*) prescribing the restrictions, limitations and conditions subject to which any assignment of land may be made under the provisions of this Regulation;

(*d*) providing for appeal and revision in respect of the orders of any authority exercising powers under this Regulation;

(*e*) prescribing a time-limit for such appeals and revisions

(*f*) regulating the powers of the appelate and revisional authorities and the procedure to be followed by them;

(*g*) providing for the publication of notifications and service of notice;

(*h*) prescribing the procedure to be followed in enquiries regarding the claims made by parties and in other enquiries under this Regulation;

(*i*) regulating the issue of *patta* or other title-deed

(*j*) perscribing forms where forms are necessary;

(*k*) providing for the transfers of land being recognised and recorded, the procedure to be followed in recognising and recording such transfers and apportionment of rent or other dues upon division of holding or lands, and

(*l*) providing for the grant of receipts for payment of rent or other dues.

Right of suit.

17. (1) No Civil Court shall take into consideration or decide any question as to the rate or amount of *pattom* assessed or assessable on any land under the provisions of this Regulation or as to the amount of *pattom* fixed or hereafter fixed on portions of land.

(2) But nothing contained in this Regulation shall be deemed to prevent parties aggrieved by any proceedings under this Regulation except to the extent provided for in sub-section (1) from seeking redress in the Civil Courts.

18. In the Estate Rent Recovery Regulation, IV of 1068, the following amendments shall be made, namely;—

Amendment of Regulation IV of 1068.

(a) For Section 4, the following shall be substituted, namely,—

"4. It shall be competent to the Chief to make assignments of waste lands, but such assignments shall be made in accordance with the law and rules for the time being in force for the assignment of Government lands so far as they are applicable and subject to the right, if any, of third parties. Such assignees shall have in respect of the lands assigned all the rights which similar assignees of Government lands acquire in respect of the Government lands assigned."

(b) The following shall be added as Sections 10, 11 and 12 respectively —

Unassessed lands treated as property of Government.

"10. all unassessed lands within the limits of the Estates of Kilimanoor and Edappalli shall be deemed to be the property of Government for the purposes of the Land Conservancy Regulation of 1091 (IV of 1091) and such of the provisions of the said Regulation as may be notified by Our Government in that behalf shall apply thereto subject to such rules as may be prescribed.

Powers of Peishkar, etc., to be conferred on Chief's agent.

11. Our Government may, subject to such rules as may be prescribed, confer the powers of a Proverthikar or a Tahsildar under the Revenue Recovery Regulation, 1 of 1068, or of a Dewan Peishkar under the Land Conservancy Regulation of 1091 (IV of 1091) on any agent or servant of the Chief:

Provided that the powers of a Tahsildar or a Dewan Peishkar shall not be conferred on the agent or servant unless he is a Government servant whose services have been lent to the Chief; and

Provided also that the appeals and revisions available to the parties under the said Regulations against the orders or actions of a Tahsildar or a Dewan Peishkar shall lie, or shall be provided for by the rules to lie, to an officer of Our Government in Our Government service.

Explanation—Any right of civil suit available in respect of the orders or actions under the Revenue Recovery Regulation I of 1068 and the Land Conservancy Regulation of 1091 (IV of 1091) shall also be available to the parties.

Definition of Chief.

12. The word "Chief" used in this Regulation means the senior male member or other member of the Kilimanoor Kottaram or the Edappalli Swarupam, as the case may be, in whom the management of the family concerned is vested in law for the time being."

Annexure.

MINUTES OF THE MEETING OF THE STANDING FINANCE COMMITTEE HELD ON THE 17TH MAY, 1934/4TH IDAVAM, 1109.

The second meeting of the Standing Finance Committee of the Sri Chitra State Council and the Sri Mulam Assembly was held at 11-30 A. M. on Thursday, the 17th May, 1934/4th Idavam, 1109, in the Dewan's Room, Public Offices.

The following members were present :—

1. Khan Bahadur Sir Muhammad Habibullah Sahib Bahadur, K. C. S. I., K. C. I. E., Kt., L.L. D., Dewan-President.
2. Rao Sahib Dr. N. Kunjan Pillai, M. A., B. Sc., Ph. D., Chief Secretary to Government.
3. R. Nilakanta Pillai Esq., B. A., B. L., Financial Secretary to Government.
4. Kochikal P. Balakrishnan Tampi Esq., B. A., B. L., Member, Sri Chitra State Council.
5. P. K. Narayana Pillai Esq., B. A., B. L., Member, Sri Mulam Assembly.

1. DEMAND XII—ADMINISTRATION OF JUSTICE—LAW COLLEGE.

The Committee accepted the proposal for the continuance of the additional division for the B. L. class in the Law College, Trivandrum, from the re-opening of the College to the close of the academic year 1934-35 and agreed to a sum of Rs. 614 being provided to meet the pay of the two temporary Elective Lecturers and of the temporary peon till the close of the current year.

2. DEMAND VI—MEDICAL DEPARTMENT.

The Committee agreed to the provision of a sum of Rs. 2,000 in the budget for putting up a pipe connection from the Science College to the General Hospital for the supply of coal gas for heating purposes.

3. DEMAND XIII—GENERAL ADMINISTRATION.

The Committee agreed to the provision of a sum of Rs. 245 for the continuance of the staff of two clerks, one typist and four peons from 8-9-1109 to 31-9-1109 sanctioned to the Secretary to Government on special duty for the standardisation of the salaries of officers in the State and for dealing with the question of a common cadre of the officers, the recommendations of the Public Service Recruitment Committee and other connected matters.

The Committee adjourned *sine die* at 12-10 P. M.

Huzur Cutcherry,
Trivandrum, 17th May, 1934.

A. KUMARA PILLAI,
Secretary to Government.

Annexure I.

AMENDMENTS TO STANDING ORDERS OF THE SRI MULAM ASSEMBLY.

[Proposed by Mr. A. S. Damodaran Asan.]

1. In Standing Order No. 5 (1), substitute "sittings" for "meetings."

2. In Standing Order No. 5 (1), substitute "decision of the Assembly" for "direction of the Dewan."

3. In Standing Order No. 5 (1), substitute "5-15 P. M." for "4-30 P M."

4. At the end of Standing Order No. 6 (1) add the following :-

"But the number of days for the business of non-official members shall be increased if the Assembly is of opinion that the time allotted for such business is insufficient."

5. In Standing Order No. 9, substitute "sitting" for "meeting."

6. In Standing Order No. 11, substitute "send" for "make every effort to circulate."

7. For Standing Order No. 12, substitute the following :—

"Questions which have not been disallowed shall be numbered and printed and sent to each member at least three days before the commencement of each meeting. The numbers of questions to be answered shall be included in the list of business for the day and such questions and their answers shall be laid on the table half an hour before the sitting commences."

8. For Standing Order No. 70, substitute the following :—

"After a draft has been referred to a Select Committee the procedure prescribed by Standing Orders numbers 38 to 46 shall, as far as may be, be followed."

9 In schedule I Rule 4, substitute "eight" for "six" between "and" and "numbers."

Annexure II.

REPORT OF THE SELECT COMMITTEE APPOINTED TO CONSIDER THE AMENDMENTS TO STANDING ORDERS, SUGGESTED BY MR. A. S. DAMODARAN ASAN, MEMBER OF THE TRAVANCORE SRI MULAM ASSEMBLY.

To

The President,

Travancore Sri Mulam Assembly.

Sir,

We, the undersigned, Members of the Select Committee appointed to consider the amendments of the Standing Orders proposed by Mr. Damodaran Asan have considered the same and have the honour to submit this our.

REPORT.

AMENDMENT No. 1

We do not think that this is quite necessary it may be omitted.

AMENDMENT No. 2.

The majority were for retaining it.

AMENDMENT No. 3.

We would propose that instead of "5-15 P. M.," "5 P. M.," may be substituted. The Committee is of the opinion that the time now fixed for ordinary sittings is insufficient. Some time could however be saved by reducing the lunch interval from 45 to 30 minutes. In view of this fact, the proposal is made by the Committee that the sitting might ordinarily terminate at 5 P. M.

AMENDMENT No. 4.

We would suggest that the words "by the Dewan" may be inserted after the word "increased". This is only a verbal change.

The proposed amendment was accepted for the following reasons. The Committee felt that the number of days now allotted for the non-official business is quite inadequate being only 3 or 4 days in the year. If the rule is amended as proposed, more time will have to be allotted for non-official business. Under the existing arrangement, the non-officials do not get sufficient opportunity to do their work efficiently.

AMENDMENTS Nos. 5 and 6.

We do not think that these are quite necessary. They may be omitted.

AMENDMENT No. 7.

This amendment was substantially accepted by the majority of the Committee.

It may, however, be re-drafted as follows :

"Questions which have not been disallowed shall be numbered and printed and copies thereof made available to every member as soon as may be. The numbers of the questions to be answered shall be included in the list of business for the day and printed copies of such questions and their answers shall be laid on the table half an hour before the sitting commences."

AMENDMENT NO. 8.

This is not quite necessary and may be omitted.

AMENDMENT NO. 9.

We are of opinion that the word "ten" may be substituted for the word "eight".

We think that the amendments have not been so altered as to require publication. We are appending a copy of the amendments as revised by us.

Sd- T. K. Velu Pillai, Chairman.
,, A. S. Damodaran Asan.
,, P. K. Narayana Pillai.
,, K. Parameswaran Pillai, (subject to a dissenting note).
,, N. Kunjan Pillai, (subject to a dissenting note).
,, V. Ramakrishna Panickar.
,, K. A. Narayana Pillai.
,, Pacode A. Narayana Pillai.
,, V. T. Chacko
,, N. K. Krishna Pillai.
,, Changanachery K. Parameswaran Pillai.
,, V. K. Velappan Nair.

DISSENTING NOTE
OF
MESSRS. N. KUNJAN PILLAI AND KAYALAM PARAMESWARAN PILLAI.

We think that the proposal that the Standing Order 6 (1) should be amended to the effect that the number of days for non-official business should be increased by the Dewan if the Assembly is of opinion that it should be so increased is, in our view, highly objectionable. The days should be allotted having regard to the state of public business, and it should be left to the Dewan to decide it. In the Indian Legislative Assembly, the Governor-General allots the days, and in the Provincial Councils, the Governor. The provision for such allotment is contained there in the Rules, and it is not open to the Chamber concerned to alter this Rule. Here, the provision is, no doubt, put in the Standing Orders. But that should not be made a reason for so amending the provision as to make the allotment of days fall out of the judgment of the Dewan.

2. We think that the proposal that the Standing Order 5 (1) should be amended to the effect that the time for the commencement and termination of the sittings of the Assembly should be subject to the

decision of the Assembly is not quite justifiable. In the sister institution of the Indian Legislative Assembly, the meeting commences ordinarily at 11 A. M., subject to the direction of the *President* and the Chamber itself has no voice in the matter; so also, in the Madras Council the provision is that the sitting should commence ordinarily at 11 A. M., and it is not expressed to be subject to anybody's direction' In regard to the time for the rising of the Chamber, it is left to the President both in the Legislative Assembly and the Provincial Councils of British India, in that he is the statutory authority to adjourn the Chamber, and no provision is made for it in the Standing Orders. In Travancore too, the statute leaves to the person presiding the power to adjourn. It seems to us, therefore, that the Assembly's decision should not be interposed between the person presiding and his authority and judgment. We think that it is safer to leave to an impartial authority like the Dewan, or the Chair, to decide when to adjourn the Chamber.

Sd. N. KUNJAN PILLAI.

Sd. K. PARAMESWARAN PILLAI.

Annexure III

AMENDMENTS TO STANDING ORDERS OF THE SRI MULAM ASSEMBLY.

(AS REVISED BY THE SELECT COMMITTEE.)

(*Words italicised indicate the amendments suggested by the Committee.*)

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1. In Standing Order No. 5 (1), substitute "*decision of the Assembly*" for "direction of the Dewan."

2. In Standing Order No. 5 (1), substitute "*5 P. M.*" for "4–30 P. M."

3. At the end of Standing Order No. 6 (1) add the following :–

"But the number of days for the business of non-official members shall be increased *by the Dewan* if the Assembly is of opinion that the time allotted for such business is insufficient."

4. For Standing Order No. 12, substitute the following :—

"*Questions which have not been disallowed shall be numbered and printed and copies thereof made available to every member as soon as may be. The numbers of the questions to be answered shall be included in the list of business for the day and printed copies of such questions and their answers shall be laid on the table half an hour before the sitting commences.*"

5. In Schedule 1 Rule 4, substitute "*ten*" for "six" between "and" and "numbers".

Annexure IV.

THE TRAVANCORE IMPROVEMENT VALUATION BILL.

[Introduced by Mr. R. Raman Pillai]

Preamble.

Whereas it is expedient to enact a law relating to valuation of improvement in Travancore; it is hereby enacted as follows:

Short Title.

1. This Regulation shall be called "The Travancore Improvement Valuation Regulation" of 11 and it shall come into force at once throughout Travancore.

Interpretation Clause.

2. In this Regulation unless there is something repugnant in the subject or context —

(1) "Holder" means a person who holds another man's land in his possession.

(2) "Holding" is a plot of land in the possession of a person other than the proprietor of such land.

(3) "Ejectment" means redemption or recovery of a holding leased out, or mortgaged, or trespassed upon, or possessed by virtue of a right of lien.

(4) "Improvement" means any work or product of a work which adds to the value of the holding, is suitable to it, is consistent with the purpose for which the holding was let or mortgaged and is in keeping with the terms of the contract under which the land was let or mortgaged.

What are presumed to be improvements.

3. Until the contrary is shown, the following works or the products of such work shall be presumed to be improvements for the purpose of this Regulation :—

(a) The construction of tanks, wells, channels, dams and other works for the storage or supply of water for agricultural or domestic purposes.

(b) The preparation of land for irrigation.

(c) The conversion of one crop into two or more crop lands.

(d) The drainage, reclamation from rivers or other waters or protection from floods or from erosion or other damage by water, of land used for agricultural purposes or for waste land which is culturable.

(e) The erection and other permanent improvements of garden land for agricultural purposes.

(f) The erection of buildings intended for dwelling or other purposes appurtenant thereto and farm-buildings.

(g) The renewal or reconstruction of any of the foregoing works or alterations therein or additions thereto.

(h) The planting of cocoanut, arecanut and jack trees and pepper vines, and any other fruit trees as agreed to between the parties.

(i) The planting and rearing of timber trees.

4. (1) Every holder of land shall on ejection be entitled to his share of the value of improvements which have been made on a holding by him or his predecessor in interest and for which value has not already been paid, and every holder to whom value of improvements is so due, shall notwithstanding the determination of the tenancy or the payment or the tender of the mortgage money or premium (if any) be entitled to remain in possession of the land until ejectment in execution of a decree or order of court.

Holders of and entitled to compensation on ejectment.

(2) A holder so continuing in possession shall, during such continuance, hold the land as one subject to the terms of his lease or of the mortgage as the case may be.

5. (1) In a suit for ejectment instituted against a holder in which the defendant is entitled to get the value of improvements under Section 4, the court shall ascertain, as provided in Section 8, the amount of the value of improvements and shall pass a decree declaring the amount so found and ordering that on payment by the plaintiff into court of the defendant's share of the amount so found due and also the mortgage money or premium (if any), the defendant shall put the plaintiff into possession of the land with the improvements thereon.

The decree in ejectment to be conditional on payment of value of improvements ascertained under this Regulation or the difference between it and the amount (if any) adjudged to the plaintiff from the defendant.

(2) If in such suit the court finds any sum of money due by the defendant to the plaintiff or rent, damage or otherwise in respect of the holding, the court shall set off such sum against the sum found due under sub-section (1) and shall pass a decree declaring as the amount payable to him on ejectment the amount (if any) remaining due to the defendant after such set-off.

(3) Any sum of money accruing due to the plaintiff subsequent to the date of the said decree for rent, damage or otherwise in respect of the holding as well as the defendant's share of the value of improvements caused to be effected after the date of the decree on account of the default or negligence of the decree-holder shall be determined by the order of the court executing the decree and the decree shall be varied in accordance with such order.

(4) Every matter arising under sub-section (3) shall be deemed to be a question relating to the execution of a decree within the meaning of Section 40 of the Code of Civil Procedure.

6. Whenever a court passes a decree or order for ejectment of a holder and such holder has erected any building or constructed any work which, the court finds, can be removed without substantial injury to the holding, such holder may remove such building or work within a time to be fixed by the court in its decree or order.

Holder may remove buildings or works not deemed improvements within a time to be fixed.

7. The High Court may from time to time by notification in the Travancore Government Gazette, make rules requiring the court to associate with itself for the purpose of estimating the value of improvements to be awarded under Section 5, such number of assessors, the mode of selecting them, the fee payable to them and the procedure to be followed in case of a difference of opinion between the Judge and one or more of such assessors.

Powers to make rules for the appointment of assessors.

8. (1) When the improvement has caused an increase in the value of the annual net produce of the holding, the value of the improvement shall be sixteen and two-thirds times the average net money value of such increase.

Value of improvements re: wet land.

(2) The value of the bearing cocoanut, jack and other fruit trees shall be the present value at 12 per cent. of an annuity equal to the average net money value of the average annual net produce obtainable from the holding for such number of years for which such trees may reasonably be expected to yield.

Value of improvements re: garden lands.

(3) The value of the bearing pepper vines shall be three times the average net money value of the annual net produce.

(4) The value of the non-bearing cocoanut, arecanut, jack and other fruit trees and pepper vines shall be one and a half times the actual cost of planting, rearing and maintaining them and of the value of the seed.

(5) The value of dwelling houses and other constructions and enclosures and other permanent improvements of garden land for agricultural purposes, shall be the actual cost of labour and of the materials less a reasonable reduction on account of deterioration which may have taken place from age or other cause.

(6) The value of timber trees shall be the sum which the trees might reasonably be expected to realise if sold by public auction to be cut and carried away.

9. (1) The value of the net produce means the amount remaining after deducting from the value of gross produce the cost of maintenance, the share of the cultivator and the Government assessment and other cesses in the case of wet lands, and the cost of maintenance and protection and the Government assessment and other cesses in the case of garden lands.

Explanation.

(2) If the aggregate amount of the value of the several kinds of improvements on a holding calculated as described in Section 8 exceeds the average market value of similarly improved land of the same extent and quality in the locality less the average market value of the same unit of improved land of the same quality, the latter amount shall be deemed to be the actual value of improvements on the holding.

10. A holder is entitled to three-fourths of the amount of the value of improvements in the absence of contract or local custom or usage to the contrary.

11. Nothing contained in this Regulation shall entitle a holder of land to claim compensation for anything done on any holding in contravention of or beyond the terms of, the contract between the parties or shall entitle a trespasser to get compensation for the work done on the holding trespassed upon or shall entitle a holder to claim compensation for improvements effected on a holding between the date of the institution of suit and the date provided in the final decree for recovery of the holding, but in case of failure on the part of the decree-holder to promptly execute the decree, the court may award compensation for improvements made after the latter date in the manner provided for in sub-section (3) of Section 5.

12. The Government may, from time to time, prepare tables for the whole or any part of Travancore for the following matters and publish them in the Government Gazette:—

(*a*) The price of cocoanuts, arecanuts, pepper, paddy and useful timber of the various kinds.

(*b*) The cost of:—

(1) Planting cocoanut tree, arecanut tree Jack tree and pepper vine on an acre of land.

(2) Protecting and maintaining the above per year till they bear and when in bearing.

(*c*) The number of said trees and vines that could be planted with profit on an acre of land in the several localities.

13. The tables and rules prepared under this Regulation and published in the Travancore Government Gazette shall be receivable in evidence and the rates and the amounts therein specified shall be presumed to be the proper rates and amounts until the contrary is proved.

14. When trees or pepper vines are planted in excess of the scale referred to in Section 12, the court shall refuse to grant any compensation for the number of trees and vines in excess.

In the case of a mixed garden, each tree and pepper vine shall be allowed a proportionate fraction of an acre according to the scale.

STATEMENT OF OBJECTS AND REASONS.

There is no statutory law in this State for regulating the method of determining the value of improvements and award of the same. The legal practitioners and the litigant public are to rely solely on the rulings of our Honourable High Court for this part of their case. The great ingenuity displayed by several of the litigants and their learned Vakils and the unreliability, incapability and want of experience on the part of the majority of the commissioners have given rise to a series of conflicting decisions in this matter. This condition causes unnececsary contests and unsustainable contentions, in and undue protraction of, redemption suits. The strongest and the richest party moulds the matter in his own way and the commissioners are often seen to lead astray even the courts which are mostly, nay solely, to rely on the

evidence supplied in the commissioner's report. In some cases, compensation is allowed for the improvements effected after the institution of the suit and even after the decree for redemption. This is the prime cause of the long protraction of the great majority of redemption suits. This state of affairs causes the landlord to be improved out of his ancestral property. In some other cases compensation is not awarded for improvements effected after the institution of the suit, nay, not even for improvements caused to be made very long after the date of the decree for redemption, through the neglect of the decree-holder who simply sleeps over his decree. This entails great loss on the poor tenant and even on the whole State itself. In the interest, both of the tenant and of the landlord, I think, it is high time to alter this unsettled condition of the matter and ensure some sort of certainty and fixity in the calculating and awarding of compensation for improvements. Hence the necessity for this Bill.

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Proceedings of the Travancore Sri Mulam Assembly
vol: 2
yea: 1935

p1 Nov 15, 1933-New Members
p1 Nov 15, 1933-Questions and Answers
p20 Nov 15, 1933-Statement Laid on the Table
p22 Nov 15, 1933-Education-Demands for Supplementary Grants
p73 Nov 16, 1933-Questions and Answers
p91 Nov 16, 1933-Education-Demands for Supplementary Grants
p159 Nov 18, 1933-Questions and Answers
p179 Nov 18, 1933-Panel of Chairman
p179 Nov 18, 1933-Education-Demands for Supplementary Grants
p192 Nov 18, 1933-Land Revenue-Demands for Supplementary Grants
p205 Nov 18, 1933-Public Health-Demands for Supplementary Grants
p209 Nov 18, 1933-Police-Demands for Supplementary Grants
p210 Nov 18, 1933-Public Works-Demands for Supplementary Grants
p234 Nov 18, 1933-Administration of Justice-Demands for Supplementary Grants
p242 Nov 18, 1933-Scientific and Miscellaneous Departments-Demands for Supplementary Grants
p242 Nov 18, 1933-Co-operative Department-Demands for Supplementary Grants
p243 Nov 20, 1933-New Members
p243 Nov 20, 1933-Questions and Answers
p265 Nov 20, 1933-Adjournment Motion
p266 Nov 20, 1933-Insurance Companies Bill
p268 Nov 20, 1933-Edavagai Bill
p318 Nov 20, 1933-Courts of Wards Bill
p319 Nov 20, 1933-Live Stock Bill
p319 Nov 20, 1933-Lunacy Bill
p320 Nov 20, 1933-Companies Regulation Amendment Bill
p321 Nov 20, 1933-Markets Regulation Amendment Bill
p323 Nov 21, 1933-Questions and Answers
p347 Nov 21, 1933-Civil Court's Power Amendment Bill
p378 Nov 21, 1933-Education-Demands for Supplementary Grants
p423 Nov 22, 1933-New Members
p423 Nov 22, 1933-Questions and Answers
p445 Nov 22, 1933-President Mr Austin-Reference to Leaving Travancore
p445 Nov 22, 1933-Hindu Inheritance Law Amendment Bill
p446 Nov 22, 1933-Criminal Procedure Code Amendment Bill
p446 Nov 22, 1933-Improvement Valuation Bill
p450 Nov 22, 1933-Shipping Facilities for Coconut Products-Resolutions
p464 Nov 22, 1933-Acting Vernacular School Teachers-Resolutions
p471 Nov 22, 1933-Moratorium for Agricultural Industrial and Land Mortgage Bank Loans-Resolutions
p503 Nov 22, 1933-President Mr Austin-Farewell-Resolutions
p507 May 21, 1934-New Members
p507 May 21, 1934-Questions and Answers
p528 May 21, 1934-Adjournment Motion
p533 May 21, 1934-Statement Laid on the Table
p539 May 21, 1934-Matches Excise Duty Bill
p576 May 21, 1934-Edavagai Bill
p587 May 22, 1934-Questions and Answers
p610 May 22, 1934-Edavagai Bill
p667 May 23, 1934-Questions and Answers
p705 May 23, 1934-Live Stock Bill
p705 May 23, 1934-Markets Regulation Amendment Bill
p707 May 23, 1934-Edavagai Bill
p773 May 25, 1934-Questions and Answers
p803 May 25, 1934-Leave for-Adjournment Motion
p804 May 25, 1934-Medical Department-Demands for Supplementary Grants
p814 May 25, 1934-Administration of Justice-Demands for Supplementary Grants
p817 May 25, 1934-General Administration-Demands for Supplementary Grants
p845 May 25, 1934-Discussion of-Adjournment Motion
p863 May 26, 1934-Questions and Answers
p922 May 26, 1934-General Administration-Demands for Supplementary Grants
p987 May 28, 1934-New Members
p987 May 28, 1934-Questions and Answers
p1060 May 28, 1934-Amendment of Standing Orders
p1094 May 28, 1934-Improvement Valuation Bill
p1096 May 28, 1934-Vakil's Regulation Amendment Bill
p1096 May 28, 1934-C P C Amendment Bill
p1096 May 28, 1934-Debtors Protection Bill
p1100 May 28, 1934-Abolition of Export Duty-Resolutions
p1117 May 28, 1934-Salaries Expenditure Cut-Resolutions